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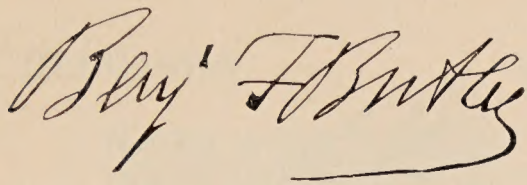
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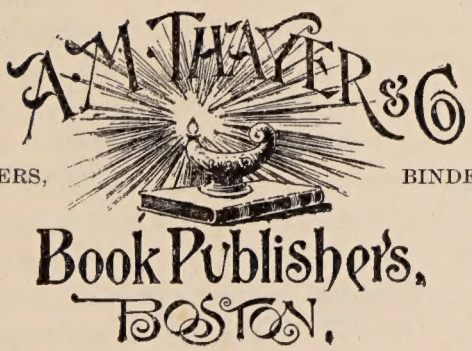
BENJ. F. BUTLER.

A REVIEW OF HIS LEGAL, POLITICAL, AND MILITARY CAREER.

ILLUSTRATED WITH 125 ENGRAVINGS, MAPS, PHOTOGRAVURES, ETC.

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# PUBLISHERS' PREFACE.

General Butler has said in his introduction that every point is to be proven. This has necessitated a large staff of workers to carefully search the records of the War Department, and the consequent proof corrections have occasioned a long delay in the publication of the work, and required the reprinting of many folios. The work has in consequence been increased in number of pages and illustrations not originally announced or contemplated, making, we trust, valuable and interesting additions.

The historical documents have been placed in an appendix with references at the bottom of each page, thus elucidating and proving all statements, and adding accordingly to the value of the work as an authentic autobiographical history. The object of placing these documents in an appendix was to retain the logical sequence of historical events and not to break the thread of the story. Among the vast amount of data it is very possible that some errata may appear in the first edition, but mistakes will be duly rectified in the subsequent editions.

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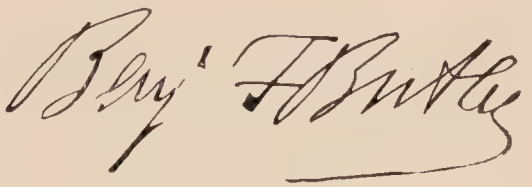
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*To the Good and Brave Soldiers of the Grand Army of the Republic,*

*This book is dedicated by their comrade, a slight token of appreciation of the patriotic devotion to loyalty and gallant heroism with which they endured the hardships and fought the battles of their country during the War of the Rebellion, to preserve its existence and perpetuity as a nation of freemen, the proudest exemplar of a people solely governed by themselves, able to sustain that government as more powerful than any nation of the earth.*

*Upon our efforts and their success depended the future of free institutions as a governmental power, giving the boon of liberty to all the peoples.*

*Other republics have flourished for a season, been split in fragments, or merged in despotisms, and failure would have closed forever the experiment of a government by the people for the people.*








THE Preface of a book is usually written after the book is finished, and is as usually left unread. It is not as a rule, therefore, either a convenience or a necessity. I venture, however, to use it at the outset as a vehicle for conveying the purposes of writing this book at all.

Having lived through and taken part in a war, the greatest of the many centuries, and carried on by armies rivalling in numbers the fabled hosts of Xerxes, and having been personally conversant with almost all, if not all, the distinguished personages having charge and direction of the battles fought, and with the political management which has established the American Republic in power, prosperity, glory, and stability unequalled by that of any nation of the earth, I have been very frequently called upon by those who are, in their relations to me, personal friends, and to whom I am endeared by life-long kindnesses, to give what knowledge I have of the course of conduct in the action of national politics and the causes which led up to so great results.

I have also had my attention called to consider whether it might not be well for me to give a somewhat connected narrative of matters of which I had personal cognizance, and of some of the more important of which I had personal conduct.

I have been asked to give memories and reminiscences of those matters which concern in part my private life which would interest them, and to set forth many facts and occurrences which would throw light upon the history of the country, especially during the momentous period 1860–1880. The real influences by which many were governed have not, in several instances, been exhibited to the country,

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and the true bearing of these influences and these motives on the great struggle have not been made apparent. Finally I desire to correct much of wrong done to myself by a prejudiced misrepresentation of facts and circumstances as to my own acts in the service of the country, especially in connection with the conduct of its armies. Therefore, I have thought it but just to myself and posterity that the true facts as I know them should be brought out.

All these considerations have compelled me to undertake at this late day of my life the labor of preparing the material necessary to be expended in writing this book, and of putting it in proper form.

Perhaps it would be well in addition to show how the book is written : Wherever facts are set out I have intended that it should be done with literal and exact accuracy, so far as they depend upon my knowledge, and in many cases they are exact memoranda of events; but where any fact is detailed upon the testimony of others, I have endeavored to verify it by consulting and making known the citations of the authorities either in the text or in the notes.

I have thought it the better way, however, to make careful examination of the accounts stated in other publications, and to draw from them in my own manner, any point which may be subject to contradiction in regard to the accuracy of the fact stated. And where I know a fact exists I say so, and where I believe it to exist from information and belief, I have given the source from which I derived that belief, if I doubt as to its truth or challenge its correctness.

Wherever opinions are expressed upon men, their character and conduct, and the motives which influenced them, they are my own opinions and I hope not capable of denial as such. Whether those opinions are correct, well founded or proper in any respect, is open to the fullest criticism.

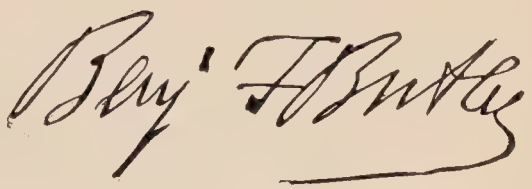
As to my personal acts, and doings, and omissions to do, "I have in naught extenuated," but I have reserved to myself the privilege of explaining and exhibiting my motives and feelings. In regard to others I have "set down naught in malice," reserving to myself, however, the privilege of saying in regard to any man personally what I think it is right to say of him, however harsh the criticism may be, and of giving a true definition of character in whatever distinct terms that criticism calls for.

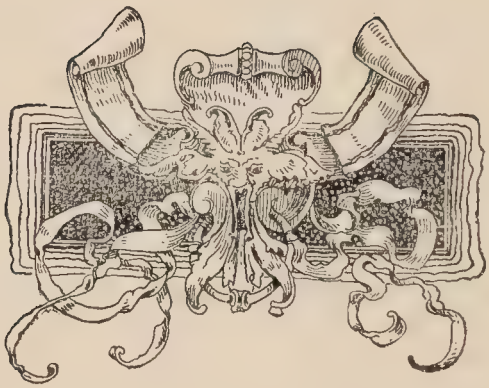
In speaking of events, I have, as far as possible, put them in juxtaposition, and with such bearings upon each other that they shall consist, in so far as they may, of items of history, which may aid others to reach the truth, when the time has come in the far future for the truth of history to be exactly written.

I admit frankly that this book should have been written before, so as to reap the advantage of being able to apply to my compatriots in their lifetime, and to verify the facts, as far as necessary, herein described. But being still in active business in the ardent pursuit of my profession, which has always been the pleasantest occupation of my life, I could not find the time in which it could well be done. But the delay has one advantage: I have outlived most of my compatriots having to do with the events treated of, and my mind is free from almost every possible prejudice, and in a position where the temptation is strong to obey the maxim, *de mortuis nil nisi bonum*, so that I trust nothing will be said save where it is necessary to the cause of truth. For truth may be told, without interfering with that maxim, just as well as the facts concerning the life of Julius Cæsar may be written.

Finally, I am conscious of but one regret for this delay, and that is that in the course of nature it is not probable I shall live so long as to be able to hear all the criticisms, as I am certain many will be made, upon this book, so that I can reply to them, attempting to correct everything that is wrong or mistaken in such criticisms, in justice to those that may be affected by such mistakes, as well as to answer any misstatements hereafter made against the matter of the book, or any attempted contradiction of any fact stated therein, or any new offshoot of calumny against the author.

I hope that my days may be prolonged for such a purpose.








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## CHAPTER I.

# LINEAGE AND EDUCATION.

THE political system of this country is founded upon what Rufus Choate once termed a "glittering generality," contained in the Declaration of Independence, that "all men are created equal." This is a truth as applied to political rights, immunities, and burdens, but an utter absurdity so far as it is made to describe other mutual relations of people. He would not be considered sane who should solemnly declare that all individuals of any other of the larger species of animals are created equal. Take the horse, for example. All the world agrees to radical differences and varying capabilities among horses according to the race and "blood," and all acknowledge distinctions in the higher class of "blood." This recognized difference in the peculiarities of different classes of animals has led to grave consequences to mankind, causing one to be called to be a king, another a lord, and the great mass peasants.

This fact, misapplied in giving right and power to "blood," still maintains itself in most countries of the world save ours, where it does not and cannot affect governmental action. That blood does not and cannot of itself maintain a class, either of intellectual superiority or of physical vigor, by "breeding in and in," is patent from the well-known condition of the royal families of Europe, among whom there has been so much intermarrying for many years that hardly a reigning monarch in Europe has had any considerable influence in the conduct of affairs of his own government because of his inferior intellectual qualities. And so far as health and vigor of body is concerned, many people of the royal families can scarcely be said to have a "leg to stand on." Wellington, Napoleon, Dis-

raeli, and Bismarck directed the affairs of Europe, if not of the world, more than all the monarchs of their century; and the people govern America.

The nobility of England, it is but just to say, stands higher in physical beauty and strength, and in intellectual force, than any other "peerage" in Europe. But it would long since have died out from inanition, had it not maintained itself by very frequent marriages with the yeomanry and the peasant classes, and by constant accessions from the commercial men and mechanics of England through the appointment of fresh peers therefrom, with an occasional admixture of brewers and Jews. The progeny of a class of this sort exhibits higher mental and physical qualities than are shown in the children of parents who are themselves the product of intermarriages for a series of generations. Of course there are exceptions to this generalization. There may be able children of degenerate sires. But whether such instances are not proof of the rule depends upon the question, whether, from some earlier intermingling, better blood may not have been taken from the lower class.

There is another rule which it is believed is well established, that the firstborn inherits the highest qualities of the capabilities of the father and mother. This rule has a curious corollary, shown in early English history, and perhaps now, that these higher qualities are transmitted to the offspring in greater extent when the procreation is under circumstances of high mental or physical excitement, and in a marked degree when not sanctioned by legal forms. The bar sinister of heraldry is on the escutcheons of the highest, bravest, and greatest men in the upper classes of all nations.

What may be called domestic history in our country proves that the truths here spoken can and do appear where all men are politically equal, and that they require no privileged class to demonstrate a natural fact. Such occurrences may be tested by the reader of mature age who calls up retrospections of the family traditions of his own neighborhood.

Indeed, it is neither speculative nor theoretical to aver that the great longevity, physical strength, soundness of constitution, assured health, endurance, and mental and physical energy and activity of the earlier inhabitants of our country, came in the very largest degree from the intermingling and mixing of the blood of several

distinct races and peoples. There would have been no such result to the descendants of any one people.

The colonists of the province of New Hampshire, which at first included Vermont, possessed very largely these qualities which I have ascribed in part to the intermingling of distinct races. Many of them were strong men, born amid the turmoil and strife of other countries, fleeing here for refuge from oppression, or more often for the purpose of enjoying full liberty of opinion, religious and political. Here they were surrounded in their every-day life with conditions of the strongest excitement because of the incursions of savage foes. Every faculty of mind was on the alert, and every function and sinew of the body was called into constant and intense endeavor to support life and defend themselves, their wives, and their children. Thus they lived in that state of "mental and physical excitement" which I have claimed causes the transmission of the best faculties of the parents in the fullest development of their offspring. They dwelt in an atmosphere of continual warfare for almost two hundred years, no generation escaping either an incursion of savages at their doors, or a general war. Does not history show that such conditions have in all times made braver, stronger, and more capable founders of states?

In 1620 King James had established a council of forty noblemen, knights, and gentlemen for the planting and governing of New England, in America. Their territory extended from the fortieth to the forty-eighth degree of north latitude. This was the origin of all the grants of the country of New England. The charters issued in those times show no knowledge of the country, for even its geographical boundaries by lakes and seas continually interlaced each other.

Mason, a sea officer and prominent member of the council, obtained, in 1621, an immense tract extending from Salem on the sea around Cape Ann to the Merrimack River, and to the farthest head thereof, with all the islands lying within three miles of the coast. This grant was named "Marianna." In 1622, another grant was made to Mason and Gorges of all the lands between the Merrimack and Sagadahoc, extending back to the Great Lakes and "River of Canada." This grant was called "Laconia." So little was known of the continent that it was supposed the "River of Canada" (the St.

Lawrence) was within a hundred miles of the mouth of the Merrimack. It seems to be beyond dispute that this colony of Laconia was established by prominent merchants whose aim was to establish stations for fishing and carrying on commerce. Entire freedom of religious views was permitted, and Wheelwright and Hutchinson came here when expelled from Massachusetts Bay. The land within certain portions of the grant was afterwards occupied under the designation of New Hampshire, and this included the territory now known as Vermont.

The townships were all laid out with a church and parsonage lot, or glebe, and a school lot, after the manner of the Church of England. This was in compliance with an order made to the ministers by the council.

New Hampshire was settled in organized plantations about the year 1623. A charter was given to Mason and Gorges in opposition to the Plymouth charter, which had been taken possession of by Puritan adherents of that most wonderful man Cromwell, a farmer, who, having married into the nobility, begot one child, Richard, who inherited none of the qualities of father or mother. Our Puritan fathers were highly intolerant, as they had a right to be. They came here to establish a theocracy, which looked to God as the divine ruler, and to His word as containing the best system of laws. And they did perfectly right, for they had come more than three thousand miles to a savage wilderness expressly for a home where all men might enjoy freedom to worship God, provided one worshipped in compliance with the creed and tenets of the Puritan sect. Indeed, they had left Holland because they found there entire freedom of worship according to every one's conscience and belief. This license, they claimed, seduced away their young men and maidens from the true faith, so that the service of God had fallen into disrepute, and the number of worshippers had decreased.

I, for one, believe they had the most indisputable right to prevent anybody from remaining within their boundaries who did not worship God precisely as the owners of the soil and founders of the colony determined. Our Puritan fathers had by no means taken exclusive possession of the best part of the United States, but they certainly had a right to control that part which they had taken, and anybody who did not choose to conform to their religious views could move on. Therefore they had the Episcopalians take the back

seat in the meeting-house with the negroes, and they banished Roger Williams. He was of the most prayerful life and conversation, and his followers, in their belief, differed from the Puritans on little else than the question, whether the use of any considerable water was necessary fully to convert a confessed sinner into a Christian, and constitute him a member of the Church of God. The Anabaptists were also banished, and Quakers were prohibited from coming in under a penalty of one hundred pounds, which the person who brought them must pay, and carry them back besides. And if a Quaker was found there not coming by sea, he was to be punished by death.[1]

Indeed, the distinction between the two colonies was that during all this time freedom from religious persecution found its home in New Hampshire. So well was this understood in the mother country, that New Hampshire was largely settled by the cadets of good Episcopalian families, and loyalty to the royal government was so substantially maintained therein that when, under Charles II., the monarchy was restored, while Puritan Massachusetts shielded Goff and Whalley, the regicides, none of the attainted or proclaimed thought of taking refuge in New Hampshire.

A most remarkable accession to its population, and one which has had the best influence upon the character of its people, came from Ireland. It was a colony of Scotch Presbyterians which had settled in the Province of Ulster in the reign of James I. They had borne the brunt of the siege of Londonderry; they had been the right hand of King William in the battle of Boyne Water; and, being oppressed by their Catholic neighbors after James had been routed from Ireland, they emigrated to New Hampshire. They established themselves in the centre and northern parts of the province, naming their new settlements after their Irish homes, so that to-day, going through their towns of Derry, Londonderry, Chester, Antrim, and Hillsboro, one would almost think that he was travelling in the north of Ireland. These men in position at home were far above the ordinary ranks of life. They were of exceedingly vigorous physical organization; so much so that there was added to them great length of days. The first planters in Londonderry lived to an average of eighty years; some lived to ninety, and others to one

[1] Colonial Laws of Massachusetts, edition of 1672, pp. 60–61.

hundred. Among the last was William Scovy, who died at the age of one hundred and four. The last two heads of the sixteen families who first settled that town died there in 1782, aged ninety-three years each. In Chester, an adjoining town, there died James Wilson, aged one hundred years; James Shirley, 1754, aged one hundred and five, and his relative of the same name aged ninety-one; and William Cragy and wife in 1775, each aged one hundred years. Col. James Davis was one of these emigrants, and he was a man of remarkable stature as well as years. He died in 1749, aged eighty-



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BIRTHPLACE OF BENJ. F. BUTLER AT DEERFIELD, N. H.

eight years. Samuel, ninety-nine years; James, ninety-three years; Thomas, eighty-eight years; Daniel, sixty-five years; Sarah, ninety-one years; Hannah, seventy-seven years; Elizabeth, seventy-nine years; Ephraim, eighty-seven years; and Phœbe, aged eighty-five years, the widow of Samuel, aged one hundred and two years, were living in 1792.

These noticeable facts bear evidence of the healthfulness of a climate where the air was impregnated with a profusion of the "effluvia from resinous trees."

From the beginning, the many great men who have stood out before the country as representatives of New Hampshire will be found to be descendants, either lineally or collaterally, from these progenitors.

One of the descendants of the Scotch Presbyterians, or one might say almost a contemporary, because he was born with the century, is Hon. George W. Nesmith, late Justice of the Supreme Court of Judicature of New Hampshire. He is still in healthful, vigorous old age, with a mind clear, thoughtful, and comprehensive, and, in 1889, gives promise of a much further prolongation of life, a promise which all hope will be fulfilled. This venerable man has done a thing the like of which no man ever will do again, upon the doctrine of chances: he voted in 1840 as presidential elector for the election of William Henry Harrison as President of the United States, and, in 1888, forty eight years after, as such elector, voted to make president his grandson, Benjamin Harrison.[1]

Nay, so potent were the Scotch Irish Presbyterians in the councils of New Hampshire, and so intense was their hatred of popery, that in the constitutional convention of 1784, which organized the province as a State of the United States, they were enabled to have inserted in the Constitution (which in almost all things else copied the Constitution of Massachusetts of 1783) clauses enacting that every officer of the State, elective or appointive, must profess the Protestant religion. Yet at the time there was not a single Roman Catholic parish, or priest exercising his functions, within the limits of New Hampshire. And so strong has been the feeling transmitted from father to son that this clause was not expunged from the Constitution until four conventions to amend it had been held.

The fact that there were very many English among the early settlers in New Hampshire had an effect upon the pronunciation of the language, and especially of the proper names, which was almost as marked as a like pronunciation in Virginia, and, until lately, the pronunciation in England. For example, the proper name Currier was always pronounced as if spelled K-i-a-h, and the highest courts in New Hampshire have judicially determined them to be *idem sonans*. Goodrich was pronounced as if spelled G-u-t-r-i-d-g-e; Seelye as if

[1] Judge Nesmith died in 1890, since this paragraph was written.

spelled C-i-l-l-e-y; and Seabrook as if spelled S-a-y-b-r-o-o-k. These pronunciations show their English tone. They found no imitation in Massachusetts save in Marblehead, a purely English settlement, where Crowninshield was pronounced as if spelled G-r-u-n-s-e-l, and Florence as if spelled F-l-u-r-r-y.

The English blood is also seen from the fact that in the earlier times, in the courts of New Hampshire, more form and ceremony was observed, and more outward respect was paid to the judges. This was continued down to a later day than in any other colony.

The towns of New Hampshire, being on the frontier and in the direct line between Massachusetts and Canada, were the scene of many a conflict in the French and Indian wars that were nearly continuous for the first one hundred and twenty years after the settlement. This educated almost every one to be a trained fighter, and a man rarely ever left his home, whether for the field or for church, without taking his musket, powder-horn, and bullet-pouch. From this necessity arose the change of construction in the interior of meeting-houses. The pews of the English church at home were square, while in New Hampshire the earlier pews were slips, at the head of which sat the master with his gun always ready to answer the call of the war-whoop of the savage. So that every one who can trace his lineage back to the early settlers of New Hampshire is born of fighting stock.

I have endeavored to sketch that part of the early history of my native State which pertains to the colonists who settled it and the causes contributing to the character of its people, in order that I might demonstrate the proposition with which I began, that the stock from which one comes is very material. For if the proposition be not true, then, in a republican government, the question "of whom begotten or by whom begot?" is, and ought to be, of no consequence to any individual, or to his peers.

My paternal grandfather was born in Woodbury, Connecticut, of Irish descent, and of a most strictly Irish Presbyterian family, as his own name Zephaniah, and his uncles', Levi and Malachi, most plainly show. The branches of the family were numerous, and the names of those who were of the proper generation to take part in the War of the Revolution, will be found in the local history of that

contest wherever Connecticut men took part, whether in Pennsylvania or Wyoming, or in the western reserve of Ohio.

Zephaniah went to Quebec with Wolfe, and I have the powder-horn which he bore, dated April 22, 1758.

He went from Connecticut to the town of Nottingham in New Hampshire, and married Abigail, daughter of General Joseph Cilley. They had several children, the youngest of whom was John, my father, who was born May 17, 1782. He married Sarah Batchelder, of Deerfield, New Hampshire, June 5, 1803. By her he was the father of three girls, Polly True, born June 8, 1804, Sally, born March 11, 1806, and Betsey Morrill, born January 9, 1808. The last of these is now living at Nottingham, New Hampshire, the widow of the late Daniel B. Stevens, Esq. Mrs. Sarah Batchelder Butler died February 23, 1809. John Butler then married Charlotte Ellison, July 21, 1811. She bore him three children. The eldest, Charlotte, born May 13, 1812, died in August, 1839. The second child, Andrew Jackson, was born February 13, 1815, and died February 11, 1864. The third, Benjamin F., was born at Deerfield, New Hampshire, Nov. 5, 1818, about four o'clock in the afternoon.



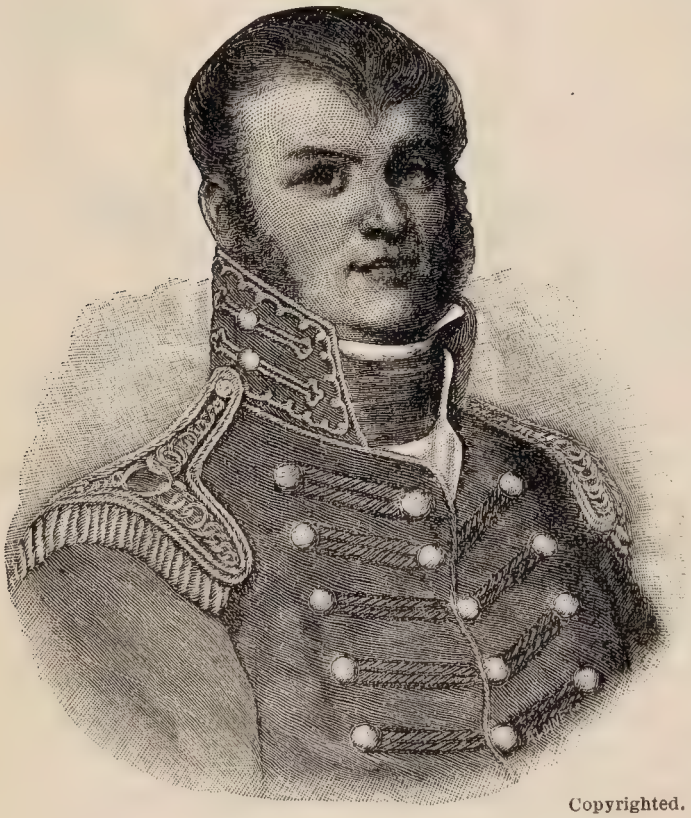

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POWDER-HORN OF ZEPHANIAH BUTLER, 1758.

Upon the breaking out of the war of 1812, John Butler applied to the war department for permission to raise a company of light dragoons among his neighbors. Permission was granted, the company was raised, and he was commissioned its captain on the twenty-third of July, 1812.

Captain Butler served with his troop on the northern frontier until he broke his left leg. The broken limb was so badly set that he could not thereafterwards wear a boot, and he resigned his commission. Unwilling to remain idle while the war was going on, and having a taste for the sea and shipping, he sailed from

Portsmouth in a privateer fitted out by himself and his friends. He did some harm to the enemy, and in return therefor he received a commission from the government to be the bearer of despatches to General Jackson at New Orleans. He carried out his mission and was thus enabled to make the acquaintance of General Jackson, for whom he entertained the highest respect and admiration. Hence, having a son born on the 13th of February, 1815, he named him Andrew Jackson.



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CAPT. JOHN BUTLER, WAR OF 1812,
Father of Benj. F. Butler.
Engraved from an Oil Painting.

The war being practically ended, as the battle of New Orleans was fought after the treaty of peace had been agreed upon, my father turned his attention to mercantile voyages, going several trips to the West Indies and Spanish Islands on the coast of South America. While so engaged he took letters of marque under Bolivar, and with his vessel formed a part of Bolivar's expedition. When Bolivar crossed the Cordilleras, my father returned to the West India Islands and, in order to refit, landed at the Island of St. Christopher (St. Kitts), one of the British Islands. While there he died of the yellow fever, *el vomito*. So did some portion of his crew and one of his officers, I believe his first officer. That pestilence and its terrible results was among the first diseases of which I remember ever to have learned from my suffering mother. I mention this

because it made so indelible an impression on my memory that it impelled me, when I was older, to investigate that scourge to such extent as I might, and this investigation had some effect upon my conduct of affairs in later life.

My father's services on the South American coast, under a commission from the head of a republic not then having fully achieved its independence, were of much the same kind that Paul Jones rendered for our Revolutionary fathers on the coast of Scotland under like circumstances. A few evil disposed persons, I have heard, have denounced my father's acts as piracy. The man has never lived who suggested that to me, and I never saw it in print but under the following circumstances: —

After I returned from New Orleans one M. M. Pomeroy, who had obtained the sobriquet of "Brick Pomeroy," established a scurrilous newspaper in New York. In order to get a circulation, he placed before his office a miniature statue, supposed to be of myself, shouldering a spoon. This was to the delight, I doubt not, of the inhabitants of Mackerelville, whom I tamed when in New York. He afterwards made some such publication, I was told, in a pamphlet which I presume he had not the courage to send to me; nor did I ever take any notice of the matter, because I knew the motive of the man. His wife, who, I had been informed, was an estimable lady, had called upon me with grievous complaints of "Brick," saying that he had entirely neglected her and left her after afflicting her with a terrible disease. I undertook proceedings for a divorce which led to an adjustment. I hope the good lady is alive for she can testify to the circumstance. I had also been counsel against him in another case in the Circuit Court of the United States for the southern district of New York. In this case Pomeroy was sued for grievous wrongs done to a young lady, as the court records will show. But as Pomeroy was found to be utterly penniless and worthless, it was useless to bring the case to trial. I do not know whether Brick is alive or not. I should be sorry to learn that he is dead, because I hope that he may have the pleasure of knowing that, in justice to him, I have preserved his memory to go down with my own as far as mine will go.

The death of my father in St. Kitts, and the irrecoverable loss of what he had there, left my mother in a state of comparative poverty.

But against it she struggled with wisdom and vigor, and with some success. My Uncle Benjamin took charge of my brother in his younger years, and so long as he lived looked after him. My mother and my younger sister went to live for a period with my Uncle William and my grandmother on my father's side. They owned and carried on a small farm in Nottingham, New Hampshire.

It is proper, however, that something should be said of that mother, whom I love, honor, and revere beyond any other person ever on earth. Her father and mother were Scotch Presbyterians. My grandfather, Richard Ellison, when a young man, had fought at the battle of Boyne Water for King William, and had received some reward which enabled him and his wife to come to America. He joined the colony about Londonderry, New Hampshire, and took up a farm at Northfield, on the Pemigewassett, or main branch of the Merrimack River. Here he had several children, the youngest of whom was my mother. He and his family removed to Canada about the time of my mother's marriage. They were respectable and honorable people, and were certainly long lived, for my mother's sister lived to exceed the age of one hundred and four years.

I, at four years of age, was thought to be a puny child, — probably the results of my mother's anxieties and fears for my father during his absence. Quiet, gentle, and eager to learn, I was taught my letters by my mother and given a slight advance in the spelling-book. In the summer I was sent away to school at Nottingham Square. This was quite two miles away from our home, especially as the last half of the distance was up a very steep hill, on which the Vermont traders in the winter, going down to Portsmouth with their sleighs heavily loaded with produce, sometimes had to double up their teams. I attended that school for six weeks, and learned to read with but little difficulty. I remained at home during the autumn, and then it was that our shoemaker gave me the book of all books for a boy, "Robinson Crusoe." The question was not whether I wanted to read it, but whether I could be kept from reading it, so as to do the little matters that I ought to do, and was able to do, called in New Hampshire nomenclature, "chores." My mother, laying aside her labors which were quite necessary for our support, taught and explained the book to me with great pains.

But being a religious woman of the strictest sect of Calvin, she thought that I ought not to have so much secular reading without some Christian teaching; and so we struck a bargain that I should learn so many verses in the New Testament if she would help me read so many pages in "Robinson Crusoe," she agreeing to explain both to me. My reading, thereupon, was almost continuous, scarcely anything but eating and sleeping intervening. To force me out of doors to take required exercise, she was obliged to send me on errands, and make me get up the cows from the pasture, the limit of which was about a mile away. I had to get up early in the morning to drive them forth, and go out late in the afternoon to drive them back; and as they were by that time likely to have wandered far off from the opening of the lane into the pasture, it gave me, in the course of the day, about two miles to run. The nearest boy lived a mile from us, and as he had his own duties to attend to, I saw very little of him.



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MRS. CHARLOTTE ELLISON BUTLER,
Mother of Benj. F. Butler.
Engraved from a Daguerreotype.

Every fair evening, before her labors began by the light of the candle, and when I had no light to read by, my mother, wrapped up if it was cold, used to sit teaching me the names of the stars and constellations. These she had learned of her father, who was somewhat of a scholar. She told me about the signs of the zodiac, and about the rising and setting of the sun. I remember once she stood in a very terrific thunder storm by the window fearlessly, — I now suppose that I might be like fearless, — and explained to me all that she knew — or was then known — of the lightning. She told me never to be afraid of it, because it was in

God's hands; that if He willed my destruction by it, it was not to be evaded or shunned, and, therefore, was not to be dreaded. When the evenings were dark, her labors with her needle began earlier.

In the following winter, my mother and my uncle provided a home for me in Deerfield, with Aunt Polly Dame, — no relative of mine save that she was aunt to all the world. She was a good old lady taken care of by her daughter, and sat in the corner spinning flax on what was called "the little wheel," to distinguish it from the "great wheel" on which wool was spun.

I went to school, and I think was liked by my teacher, for I was not a troublesome scholar, except in the way of asking very many questions, and of seeking explanations about matters which I was not infrequently told did not concern me. The school at Deerfield Parade lasted longer than that at Nottingham. I remained during the summer term, reading everything I could find, almost committing to memory the almanac, and vexing everybody who came into the house for explanations regarding the signs of the zodiac. Upon this last matter I could get no further information, the usual answer being that it did not concern me. But this did not prevent my asking the next person that I thought could tell me. I appropriated the full astronomy of the almanac, and profited much by it.

In the winter of my sixth year, I walked from my home every morning down to Nottingham Square to school, carrying my dinner in a little package. Provision had been made, that if it became stormy, I was to be taken into the tavern near the schoolhouse, and there kept until the weather cleared and the roads were again passable, — which they sometimes were not for three or four days. I then learned that there was a small town library there, and of all things that a boy of that age should read, I was allowed to take from the library Rollin's Ancient History, — and I read it.

I had not the slightest knowledge of chronology, and I thought the events in the history followed one after another in point of time, — the Assyrians, the Persians, the Greeks, and the Romans, according to the chapters. But when they began fighting with each other, I got mixed up, because, according to my understanding, the first of these ought to have passed away when the others came on the scene. My reading did not interfere with my school lessons, which I pursued with a great deal of eagerness and pleasure, and also with

much success, owing to a tenacious and exact memory. Before I was seven years old, I could answer all the questions in Whelpley's Compend of History, a very bulky volume, the answers having been picked out for me to learn, by being marked by the master's pencil. I remember now one example which will illustrate the sort of instruction that I received; that is to say, I learned the words, but what they meant was then utterly uncomprehended. For example, one of the questions was substantially this, as I remember it, and although I have not seen it for more than sixty years, I think I state it accurately: "If these States had not declared their independence, what would they now be?" Answer: "Little better than British Provinces." But what a British Province was, I had no earthly idea, and I asked the teacher one day. He had seventy scholars beside myself, and I do not now blame him for not answering me. He told me that he did not have time to explain it to me. Well, I do not think he had.

But there was another part of my education which was thoroughly instilled, — the traditional history of the Revolution, and its battles and events. Two of our neighbors were Revolutionary pensioners, and our kitchen fireside was a very pleasant resort for them, as the cellar was furnished with an unlimited quantity of cider, which was drawn for them in a tall, yellow earthen pitcher with an overhanging lip dropping away from each side. To fill it three-parts full, and then bring it up from the cellar, was about the extent of my physical ability; but that I was to do. Then they would take down from the mantel-tree some red peppers which hung on a string under the gun, and cut them up and put them into the cider. Next, they set the pitcher down on the hearth before a blazing fire, held up by a forestick, — a stick about four feet long and eight inches through, — so that the cider would get very much heated; and then it was drunk with a gusto that almost makes me wish I had some now if I could enjoy it half as well. Then followed stories of the Indian wars; of garrison houses, and of women running from the fields of corn, pursued by savages, and sometimes overtaken, and sometimes saved by the faithful musket of the husband or father. Then they came down to later times, — the opening of the Revolutionary War, the massacre at Lexington, and the battle of Bunker Hill; and so talked on until I had as deep-seated a

prejudice against a red-coat as our turkey gobbler exhibited to a red petticoat, when he drove my sister into the house. Thus I was taught that the highest achievement in life was to get behind a stone wall and shoot a Britisher, and I longed for the time when I should grow up to do it. So thoroughly was this drilled into me, that in after life it was a matter for reasoning on my part whether I should treat an Englishman decently.

The difference between this feeling and that which I had toward the Frenchmen, who fought us with the Indians, and who helped the savages scalp us, was that the French were poor fellows who did not know any better; and besides, the French had helped us in the Revolution against the British, so that we would forgive them, but the Britishers, never!

As time wore on, I was literally adopted by my grandmother, my grandfather having died several years before. She was a very remarkable looking woman, who stood about five feet eleven inches in her stockings. She was then in the neighborhood of eighty years old, and walked with a stick, yet she was as erect as ever, and was the most imperious person I have ever seen, to everybody but me. She had a most inflexible will, apparently never yielding to others, and subjecting all others to herself. She read to me, but inasmuch as she read as she had been taught in her youth, it was almost unintelligible, and this caused some difficulties between us. For example, she always pronounced w-o-u-l-d as if it were spelled w-o-o-l-d, and s-h-o-u-l-d as if spelled s-h-o-o-l-d, and she taught me that the name of the sign of conjunction (&) at the end of the alphabet was ampersand, a word which I learned afterwards, from an old spelling book of her generation, was really "and per se." She told me the history of battles as they were known and seen by her, the daughter of a general and the mother of a captain in the first and second wars with England, and all the pathetic incidents of the wars, like the capture and death of Jane McRea, who was surrendered to the French, and scalped by their Indian allies, in the northern part of New York.

She also told me, boy as I was, of the injustice of the men toward the women, and toward their own younger brothers, in assuming to enforce the law of primogeniture, and how, when they failed to pass it in the constitutional convention of New Hampshire, the men made

their wills so as to accomplish the same thing, giving substantially all to the eldest son. I reverenced her.

She ate two of her meals at the same time as the rest of the family, having a table to herself, and I alone had a place at it, generally sitting on the elbow of her arm-chair. She also taught me fully to understand her politics, which, so far as I could understand them, were that there ought not be any kings, princes, barons, nobles, or knights. She never said anything against aristocrats, and my memory of her now is that if ever there was a high-priestess of the aristocracy, she was one, and especially did she dilate upon the fact that her family, the Cilleys, was the best in the State.

Can anyone doubt where I learned my political status: democratic politics in government and personal aristocracy?

I give these details, although they may seem puerile. In time, they had great effect upon the bent of my mind, though not much then, because the most of what was said I did not understand. But I remembered it all, and it came up to meet every emergency of thought later on. Hence my democracy; for hers was the only political teaching I ever had until I learned political economy from the books, and that was no teaching at all.

My grandmother died at the age of eighty-four. A severe cold brought her life to an end, when her physical and mental strength were apparently as good as ever. Her sister, Alice Cilley, married Captain Page and went to Maine, first settling in Hallowell, and afterwards living in Cornville with one of her children. I never saw her until after I went to college in Maine, and I may possibly have occasion to refer to her hereafter. She died in 1849, at the age of ninety-nine and a half years, and was able, the summer before she died, to mount her own horse without assistance, and ride out some three miles to visit a neighbor.

I attended a partially private school or academy at Deerfield until I was eight years old. In this school almost every branch of practical learning was taught except the languages. There were many young men in the school, and some young women. My teacher was Mr. James Hersey, afterwards postmaster of Manchester, New Hampshire, a city which had no existence in those days. His specialty was English grammar, — at least he made it so with his pupils, — and he was the most intelligent teacher of the English

language I ever knew. He saw to it that we were thoroughly versed in the rules, and explained the difficulties of construction of our language with great clearness, so that even I, the youngest, understood them. His favorite exercise was parsing. We used very different text-books then, from those now in use. Among them were Pope's "Essay on Man" and Cowper's "Task," and I remember I got my first feeling of hostility to slavery from being called upon to parse a half page beginning "Is India free, or do we grind her still?"

Our teacher taught us to construe verse, — that is, to render it into prose, so as to show the grammatical construction of the parts. There was a sort of constructiveness about that putting of verse into prose which chimed in with my love of putting things together; and I became quite an adept. I speak of this because an incident regarding it had an effect on my whole after life.

It had been debated whether it was not desirable that I should go to college, for my mother's most ardent desire was that I should become a Calvinist Baptist clergyman. Ways and means were pretty narrow, and it was doubtful whether the plan could be carried out. Boys went to college in those days at the age of from twelve to fifteen. Judge Josiah G. Abbott, of Boston, one of the ablest gentlemen now at the bar, with whom I have practised for many years and know how thorough his training was, went to Harvard at twelve.[1]

There was an examination at our school at which all the Methodists, and other clergymen, and principal men of the vicinity were present. The first class in parsing was called, and I, naturally in size and every way, was at the foot of it. We had "Pope's Essay on Man" as our text-book; for in those days there were no easy books for children, — none of the thousand treatises that have been invented since to teach children not to think, and that are at the present day, I believe, a great hindrance to intelligent education. I remember this paragraph was the opening one of the recitation: —

> "The lamb thy riot dooms to bleed to-day,
> Had he thy reason would he skip and play?
> Pleased to the last, he crops the flowery food,
> And licks the hand just raised to shed his blood."

[1] Alas! I have lost my friend by death since this sentence was at first written.

"Parse lamb," said the master to the pupil who stood at the head of the class. He tried.

"Wrong; next." He tried.

"Next." He tried, and so down through the class, some eight in all. Then came my turn.

I said: "Lamb is a noun in the objective case and governed by dooms."

"How do you know that?" said the master.

"Because I construe the paragraph 'Thy riot dooms the lamb to bleed to-day; had he thy reason, etc.'"

"Right," said the master; "take the head of the class."

I did so; and it was the proudest event of my life. A consultation was held by all those who had a right to be consulted, and it was decided that I should be sent to Exeter to be fitted for college, with the hope that a free scholarship might be found for me. I continued my studies, and late in the following autumn I went to Exeter. Here I commenced the study of Latin, and soon afterwards that of Greek. I must say, truthfully, that my learning at Exeter did not amount to much. To be sure, I acquired the Latin grammar with a certainty of memory that was excelled only by my uncertainty as to the meanings of the rules it contained. My learning was nothing but memorizing. It was the same in the study of Greek. I was far too young to appreciate the beauties of the "Iliad," but I was reasonably well taught in the conjugation of Greek verbs.

I attended the Unitarian Church, as the rules of the school required. Boy like, I was confused by the new doctrine of one God and the Son of Man, as opposed to the doctrine of the triune God,— Father, Son, and Holy Ghost. I had been taught the latter, and I could not permit myself to have any doubts concerning it.

In 1825, there was springing up on Pawtucket Falls of the Merrimack River, the second great manufacturing town in Massachusetts, Waltham on the Charles being the first. This town, afterwards Lowell, was then known as East Chelmsford. It had a growth unexampled in those days, and almost equalling the mushroom growth of towns in some of the western States at the present day. The constitutional convention of 1820, by a new section, made cities possible in Massachusetts, fixing the limit of population at which any town could become a city at twelve thousand. This

was the population of Boston, and that town became a city in 1822. But in 1836, Lowell's population had increased to twelve thousand, and she became the second city. A clergyman, who had befriended my mother, built a house in Lowell for her to occupy, and by his advice I came to Lowell from Exeter at the end of the winter term in 1828, and studied my Latin at home during the spring and summer. Seth Ames, afterwards Justice of the Supreme Court of Massachusetts, kindly permitted me to read Virgil in his office. He amused himself in hearing my recitation of the text, and taught me to scan the versification of the original. Later in the year it became necessary that I should earn some money, and my mother got me a place at Meecham & Mathewson's, the Franklin bookstore, the only establishment of the kind in the town. I remained with them until December 18, when the Lowell High School was established, through the exertions of Rev. Theodore Edson, rector of St. Anne's Church. Mr. Edson, having come to Lowell in 1825, remained as rector of St. Anne's for over sixty years, most respected and most loved by his fellow-citizens. To him more than to any other, Lowell owes its school system, which, during its whole existence, has been one of the best established, most thoroughly cared for, and most highly successful of kindred institutions in the State. Mr. Edson was a brave man as well as a good man. When he perceived the right thing to do, he did it, regardless of personal consideration, or of danger to himself.

Kirk Boot, who discovered the advantages of this locality as a water power, was then the leading mind in Lowell. He had been an English cavalry officer, and his family had occupied what was known as the Boot estate in Boston, since changed into the Revere House. He was a very positive man, and inclined to be imperious toward everybody, especially toward those who stood in apparently dependent relations to himself.

The edifice of St. Anne's Church and the parsonage attached, had been built by the Merrimack Manufacturing Company, and, as I have said, Mr. Edson, the young clergyman, had been installed therein. Mr. Boot had built for himself a mansion not far from it. He was a devout Episcopalian, and had a highly ornamented pew of large dimensions, after the manner of English squires in parish churches. To support this church, the operatives of the Merrimack

Manufacturing Company were taxed a small sum, — I think thirty cents each month, — and this sum was deducted from their wages. Mr. Boot, from his training, was not as much impressed as Mr. Edson was with the necessity for the education and welfare of the common people, who were, of course, the operatives in the mills. Almost all of the land on which the town stood was held by the Proprietors of the Locks and Canals on the Merrimack River. They sold off this land, and they also sold the water power furnished from the Merrimack River by a dam. This dam was put across at the head of Pawtucket Falls, although the law said that there should be no dam, because it would affect the navigation of the river. The water was conducted through the new town of Lowell, at first by a canal, which had been established by the Proprietors of the Locks and Canals about the year 1792, for the purpose of taking boats around the falls.

With a foresight as sagacious and remarkable as was the persistency with which the scheme was carried out, Mr. Edson, in connection with a committee of the citizens of the new town, determined that two squares or commons, the North and South Common, should be dedicated to the public use. It was done; and the commons remain even to this day the breathing and recreation points of the citizens. That enterprise for the benefit of the laboring man and woman and their children was not opposed by Mr. Boot, as the land was comparatively valueless. But Mr. Boot was astounded when the young clergyman proposed that two schoolhouses, costing more than twenty thousand dollars, should be erected for grammar schools, — one on the corner of each park. A very considerable number of buildings for primary schools, then termed infant schools, had been hired and put in use in various parts of the town, but up to that time, anything like instruction of the elder classes of children was not provided for, save that two or three small rooms had been hired for that purpose. The taxation of that day for those new grammar school buildings of brick would be borne substantially by the manufacturing companies and the Proprietors of the Locks and Canals. Mr. Boot declared that this could not and would not be done. A town meeting was called, to appropriate for such expenditure by the town. Mr. Boot appeared in person and opposed the proposition. He was backed by the managing agents of the several mills. They

made speeches against it. The proposition seemed not to have the slightest chance, when in one corner of the hall stood up a slender, smooth-faced young gentleman of winning manner and graceful ease of speech, and declared to the meeting that it was necessary for the instruction and training of the children of the people of the town that the appropriation should be passed. He was surprised and chagrined, he said, at the opposition of the representatives of the manufacturing corporations, because it was necessary for the safety of their property and the insurance of its value that the manufacturing community which they were drawing around them, especially the younger portion, should be thoroughly trained and educated, that they might know their duties as men and women, and their rights as citizens and freemen.

His speech was called at that time radical in an almost unheard of degree, although it was accompanied by an appeal for religious instruction in connection with the secular instruction. But it evidently was carrying the meeting. The debate was extended by several replies, no man speaking in favor of the proposition save the young clergyman. Nevertheless it was apparent that if the vote were to be taken then the appropriation would prevail. Accordingly a motion to adjourn to a day in another week for its consideration was made and carried by its opponents. During the adjournment Mr. Boot informed Mr. Edson that any further advocacy of this proposition would so far meet with his disapprobation that he should withdraw from his church and from attendance upon his ministration; that he should give his attendance and influence to another religious society, and that all support of St. Anne's in any way by the manufacturing companies would be withdrawn.

Few young pastors of the fashionable churches of the town, and certainly very few of the not very popular religious persuasion, would have been found at the next town meeting under such discouraging influences and surroundings. The day of the meeting came. The young pastor was there. With a firmness equalled only by the eloquent appeal made for his fellow-citizens of the coming generation, he answered every argument against the proposition, and after a long debate the vote was taken and the proposition was carried. The schoolhouses were built and occupied. In

the upper story of the southernmost one a Lowell High School was taught. Here I received, if not the most part, the best of all my educational teaching in my preparation for college.

In the year 1830 another contest was made, and, as its result, the Lowell High School was established. The school began in December, 1830, in a little one-story wooden building about forty feet square, rudely fitted up. Here were assembled about fifty pupils whom their parents claimed to be sufficiently advanced to come within the purview of its teaching. The scholars were drawn together by the spirit of enterprise in their fathers, not one of them having been born in Lowell.

At the risk of departing from the true course of self-narrative, I may be permitted to tell who and what were my classmates. There were eight of us in the first class, the classification being made according to apparent advancement in scholarship. The one alphabetically at the head, whose education went no further than in that one school, became afterwards a Boston merchant of high standing, and later still a merchant in the State of Vermont. He is an enterprising man, and is one of the wealthiest and best prized citizens of the State. Another fitted for college in the class, became a graduate of Dartmouth, and died young, standing very high in his profession as a surgeon. Another, whose education was ended there, became a civil engineer of the very highest standing, founded the manufacturing city of Manchester, New Hampshire, and was for several terms governor of that State. Another, who left the school and became a midshipman in the navy, rose to be of the first class in his profession, and afterwards was the active head of the navy, and the only efficient one it had during the War of the Rebellion. He lived to cross the Atlantic in a new vessel of the unheard-of class, a monitor, and to demonstrate its availability abroad as well as at home. Another, going from this class to a medical school, fitted himself for his profession as a surgeon, and, before his untimely death, became one of the most successful and best known surgeons of the country. Two others became reputable and somewhat distinguished citizens. The remaining one is the writer.

The Rev. Mr. Edson was the foster father of this school, and brought for us our teacher, Thomas N. Clark, a graduate of Yale. Mr. Clark taught us for nearly two years, and with him we went

into the new schoolhouse. The numbers of the school increasing with the same rapidity as the new town, he brought to his assistance a classmate from Yale, Mr. Clapp, who afterwards left our school to go to Charleston, South Carolina, where he finally became the editor of the Charleston *Mercury*. He was the most bitter pro-slavery and states-right gentleman I ever knew, and his cutting sarcasms permeated every page of his writing. In his early life he happened to be bitten in the heel by a rattlesnake. He did not die from the bite, but those whom he did not like said the venom of the poison remained in him. For some reason, which as a boy I never knew, the school was suspended when Mr. Clark retired from the teachership to enter his profession of the ministry. In this profession our reverend teacher rose steadily, and is now loved and honored by his denomination, as he is by every former pupil, as the bishop of the diocese of Rhode Island.

During the suspension of the school, I spent the time reading everything that I could command, finding myself again in a lawyer's office, but without any thought of becoming a lawyer. Finally the school was reorganized under teaching of Mr. Nicholas Hopping, an estimable gentleman enough, of fine scholarship and usually gentle manners, but utterly without the special capacity to train young men, and particularly those who had enjoyed the teachings of Mr. Clark. Indeed, we dealt with him rather as a foe, and all the resources of pretty active minds were exhausted in an endeavor to make his position as uncomfortable as possible and useless to ourselves. His unfortunate name was a source of continual attack, and gave occasion to the most unpremeditated and irritating pun I ever heard at school or elsewhere. One morning a classmate, who may not wish me to give his name, had a pretty severe tiff with the master in which both lost their tempers. Immediately afterwards the first class was called up to read in Pierpont's reader. The order of exercises was that each man, as we called ourselves, should read a paragraph and then give the definition of the principal words therein. To the classmate of whom I have spoken a portion of Collins' Ode to the Passions was given. It contained the phrase, "Eyes with fine frenzy rolling." The teacher: "Give the definition of frenzy." Pupil: "Hopping mad, sir." No further definition was asked of that scholar.

At the Lowell High School I finished my fitting for college, to which I went very unwillingly. Just before I was to enter, my mother asked the Hon. Caleb Cushing, then a member of Congress from Massachusetts, to give me an appointment at West Point, a thing of which I was very desirous. He had known my mother, and knew that she was a soldier's widow, and he expressed a willingness to appoint me at the next vacancy. But that vacancy would be a little time thence. My mother then made application to the Hon. Isaac Hill, of New Hampshire, who was supposed to be all-powerful in such matters with Jackson's administration. He replied that he would see to it that such appointment was given to the son of a soldier who was his own early friend. But here a difficulty arose. My much loved mother was a very devout Christian, believing in the doctrine of Calvin, and viewing unbelief as the unpardonable sin. I had been very religiously brought up. I had been taught in the Sunday school, and by her, until I was, for my years, fully conversant with the Scriptures. I had committed to memory the four Gospels, and once had recited them at call for a quotation in every part. I knew every word, not even excepting the first eighteen verses of the first chapter of Matthew, where everybody begat everybody else. That chapter was my hardest lesson, but I was once master of it. My mother's clergyman, a good Baptist, was consulted upon my being sent to West Point. He advised strongly against it. He said that I was a religiously inclined boy, and one well versed in religious principles; and at West Point there was, he understood, a great deal of free-thinking among the pupils, if not among the teachers He felt that if I went there my religious feelings and principles would be derided and scoffed at, and that I should doubtless be converted into a free-thinker myself. And, therefore, as my mother earnestly desired that I should be a clergyman of her persuasion, he thought that I had better be sent to a good Baptist college, at Waterville, Me. (where he had graduated) in the labor department, where I could do something to earn my subsistence. He was convinced that there, aided by the example of those around me, I should probably fulfil my mother's long-cherished expectations by becoming a clergyman. He was a very good man, but had very litle insight into human nature, or at least into the nature of the boy for whom he was dealing.

He ought to have known that if I had been sent to West Point, and had my comrades, or anybody else, derided, scoffed at, or belittled the religion of my mother, I should have fought for it, stood by it, and found argument to support my belief in it, and very possibly would have been one of the few religious gentlemen who have come from West Point, like General O. O. Howard.

So I was sent to Waterville, where a majority of the pupils were fitting for the ministry, and some of them were even then performing, in part, the duties of clergymen. Unfortunately, I had a much higher standard as to clergymen than they had, and I naturally observed all their shortcomings and outgoings. And when religious matters were discussed, as they very soon were, and I was not found quite up to the belief, they undertook to teach me. But they broached subjects upon which I knew quite as much as they did and thought a little more. In consequence, I could very easily trouble them with questions which it was impossible for them or any one else to answer. The result of my taking the other side was that my own faith was weakened. The more we discussed, the more I was disliked by some of my college mates. On the other hand, certain ones, whose faith had been shaken, closed around me more closely, and we set up for ourselves against the prevalent beliefs in which we were being educated.

Before the first year had ended, I had changed my intention entirely regarding the ministry, if ever I had much in that direction, and devoted myself to the physical sciences, especially chemistry. I was exceedingly interested in books on alchemy, and in the experiments which had been made in the vain endeavor to find the philosopher's stone. I think I was imbued almost with the enthusiasm of the earlier chemists, and above all, I was inspired to believe that chemistry and its adjuncts were to be the means of opening a very great field of highly promising labor and research to benefit all mankind, particularly in the study of those sciences which were to test the magnetic and electric discoveries by Galvani, the results of whose researches were then being exploited by the great discoveries of Sir Humphry Davy.

I believed that the gates for pursuing chemical knowledge and investigation in a regularly defined and scientific manner were opened by the wonderful invention of the murdered Lavoisier in his

chemical nomenclature, which gave name and place to all chemical substances in their relations to each other, and took them out of the unintelligible and incongruous diction which surrounded, hindered, and impeded all the work of the alchemists.

Static electricity, claimed to have been deduced by Franklin from heaven, and produced on earth by friction upon certain resinous and vitreous surfaces, seemed to me to be too evanescent, fitful, and uncontrollable (because one must use all or none of it at one time) to be of any effectiveness in the arts, or of substantial use to mankind, save, as I was taught, as a remedy for controlling the nerves of delicate women.

I took great interest in that mysterious substance which made to quiver the leg of a dead frog lying on a copper plate when touched with a piece of zinc, and which could be produced in quantities sufficient for experimental use by means of the pile of Volta. This pile could readily be made in a student's room by building up plates of differently oxidizable metals with soft moistened porous mattings between them. It furnished power sufficient for electrical experiments in the same direction in which Davy, by a powerful battery of cells, was reducing into new combinations at will substances which had been hitherto deemed entirely simple and elementary. This substance, I believed, was the elective power of the future. At that time, so far as I knew, no thought of any connection between magnetism and galvanic electricity had occurred to the scientific mind. For nearly two years, I pursued my scientific studies. They were substantially outside of the course, because our professor of chemistry, Dr. Holmes, for reasons satisfactory to himself, did not think it worth while to give lectures on chemistry. Prof. George W. Keeley, however, gave us the fullest instructions on light and static electricity, by which I very much profited. I believe it was at that time that I first heard of Miss Sommerville's conceptions as to the polarization of light.

Of course, these studies did not advance my standing in my regular recitations, some of which I must confess were wretched. I remember one in geometry which called forth an animadversion and a reply, neither of which was proper, between teacher and pupil. The teacher took the chalk from me as I retired from the blackboard, and said, in the presence of the class, "Butler, you don't know

anything." The pupil replied, "Not about that demonstration; but I can tell you a good many things that you don't know," — which was as true as it was impudent. It was admitted in college, however, that upon the subjects of which I have been speaking, I was farther advanced than a pupil, and I was allowed to have access to the chemical laboratory as assistant to Professor Holmes, who was not there. I had one mate in these studies, Mr. David Wadleigh, and we devoted ourselves to chemical experiments together, with the natural result of actually blowing each other up with explosive preparations.

There was another matter which made me careless of my standing in the regular course. It was that the rules of the college required students to attend prayers at daylight in the winter at the chapel, and go to church twice on Sundays. I regret to say I did not always do this, shirking the prayers more frequently, however, than the sermons, perhaps, for the reason that I was very much interested in the doctrinal character of the latter.

A course of doctrinal sermons was preached by the Rev. Samuel F. Smith, an earnest speaker, who very clearly put the doctrines before us so that we could understand them. During his whole life he had been a teacher of the Calvinist Baptist faith, and obtained great and deserved celebrity as the author of what has become almost a national hymn, "America," "My Country, 'tis of Thee." The penalty of neglecting each prayer or sermon was ten cents, which was quite a matter, considering how scarce the ten cents were in my pocket. But there was another penalty, and one which I deemed an injustice. My failure to attend prayers and church were marked so as to detract from my standing, as otherwise determined by my proficiency in my lessons. I thought this was unjust then, and I think so now; and I fought then as hard as I have been accustomed to fight against any palpable injustice, whenever such a case has come in my way.

By diligent listening to these sermons I had confirmed for me what I had understood before to be the doctrine of Calvin. This was: that God was self-existent, omnipotent, omniscient, and foreknowing all things from the beginning; that He was unchangeable, and that what He foreknew was predestined, and could not be different; otherwise He was not from the beginning omniscient. All mankind

were of two classes in this regard, — one from the very beginning elected to be saved and to enjoy the presence of God in the mansions of heaven, and the other class, very much the larger, elected from the beginning to be damned to eternal torment in hell, which was a lake of fire and brimstone. Also, whoever had the means of grace before him, — to wit, sermons and teachings of divine truths, — who did not allow such teachings to bring him to a state of grace, would find hell very much hotter for him than would the poor heathen who had never had the Word of God preached to him, and who knew nothing of the jeopardy in which he stood. If I were elected to be saved, the sermons would do me no good, except, perhaps, to make heaven somewhat more pleasant. But where I was to go could not be changed, yet I was to pray God's mercy wherever I might be; that is, I must ask that He, in His mercy for a single person, would alter His divine laws made from the beginning and unalterable. It was my duty to make these useless trials and hear these teachings, the result of which might be to add to the miseries of the torment of the lake into which I was to be cast.

My whole mind rebelled against this teaching. I could not and did not believe it. Its logic was inexplicable, and the results reached were wholly contradictory, marked with great injustice, and unworthy of an omnipotent Being who had made His creatures and fixed them from all eternity in this dilemma. Besides, I was condemned by the rules of the college to attend the prayers and hear these sermons which would bring about such direful results if I were not elected to be saved; and if I did not obey the rules I was to lose my standing as a scholar, and my money as a poverty-stricken student.

I gave this subject the most careful consideration. I read much that bore upon it, and among the rest I read "Edwards on the Will," a most powerful argument in favor of the doctrine, of logic inexorable, whose conclusions could not be denied by any thinking mind which granted his premise of an omniscient and omnipotent God who foresaw and determined everything from the beginning. I saw that I must contend against a doctrine established in 1532, by Calvin, then the acknowledged head of the reformed religion of what was then called "the monstrosity of papacy." I saw that I was putting myself in opposition to the belief and platforms of a

very large majority of those who held the established Protestant faith. All this, instead of changing my views, only confirmed me in my belief; and I believe that my life has shown that where I thought myself in the right I never counted the number of my opponents in shaping my action. Boy of seventeen as I was, I believed I had a right to controvert a doctrine established at first by the boy Calvin, only seven years older, three hundred years before, in a superstitious, witch-burning age, whose doctrines modern science and modern thought had overturned in most parts which could be brought to the test of actual truth.

Smarting under the feeling of injustice done me, it occurred to me that I could make my movement against the belief by petitioning the faculty to be relieved from going to prayers and church. I therefore sent in a petition to the president, couched in the most modest and most carefully chosen language I could command. In this petition I stated my position fully, and asked to be excused from obeying the rules of the college, since, if they taught me the truth, they would work out upon me the direst results. I declared I was taught by the sermon I had heard, that the number elected to be saved was a very small percentage of the whole number of God's intelligent creatures on earth; that I believed that all the faculty had, in the language of the sermon, obtained the means of grace, and so must be of the elect. I admitted that I was a graceless youth, and could have no hope of being one of the elect, and, therefore, all the penalties of the sinning away of days of grace would fall upon me. I admit that the latter part of my prayer was somewhat illogical, because there were no means of determining whether my good teachers were elected to go the right way, and because it was possible that God, from the beginning, had determined that I should go the right way. But still, upon the doctrine of chances, I was clearly right.

It was easy to foresee the result of addressing such a paper to a conscientious body of men thoroughly imbued with the belief that what I claimed was little, if anv, short of blasphemy. I was condemned to the severest reprimand, and it was probably only the consideration of the grief that it would cause my Christian mother that kept me in college. I may say, I trust without offence, that the only thing that made me hesitate to do what I did was the thought of the grief it would cause her. But I could not be a

hypocrite even upon that great inducement. The mistake that I made was one that I fear I have too often made since, not in religious, but in political matters, of declaring my opinions before the community was ripe for them.

Yet I believe that more often than otherwise the people have grown up to adopt these opinions. I remember one instance which it may not be out of place to recall here, although hereafter I may have occasion to discuss the matter at more length. It is that more than twenty years after I enunciated the fact that the greenback is constitutional currency, whether issued in war or in peace, the Supreme Court of the United States sustained that opinion by an almost unanimous decision. It has taken longer to vindicate my religious opinions thus enunciated; but I see by the newspapers that the Christian synod of Presbyterian Calvinists have concluded to abrogate from the Westminster Catechism and from the platform of the church, those doctrines which I attacked fifty-two years before. I thank heaven for kindly prolonging my life until the present hour, because I can now go down to my grave with a little prospect that I have some chance of salvation. I accept the compliment of their endorsement with pride and gratitude.

In the latter part of my junior year in college, a matter came to my attention, which caused an entire change of my intentions as to a future professional life.

I had occasion to contemplate the professional acumen, the varied learning, the great and commanding insight into men's motives, and the mastery of the minds of other men, shown by a lawyer in conducting a trial of a case before a jury where facts are to be elicited, fraud and falsehood foiled, conflicting testimony and discordant facts compared and put together, and a great result worked out.

In a neighboring county, a case was tried, where the country's great lawyer of that day, if not of any other day, took part (and almost sole part) in sustaining a will.

To the reader who is not a lawyer, the name of Jeremiah Mason, and his skill as a tryer of causes, are now almost unknown. Even by the profession he is largely forgotten. Almost all great lawyers who do not write books have their names handed down by tradition, and even this fades out almost entirely after the lapse of half a century.

Daniel Webster was once asked whom he considered the greatest lawyer of the United States. He answered: "I should, of course, say John Marshall [Chief Justice of the Supreme Court of the United States]; but if you should take me by the throat, and run me back into a corner and demand, 'Now, Webster, upon honor, who is the greatest lawyer?' I should have to say Jeremiah Mason."

I was quite young when I first saw Jeremiah Mason. In later life, I saw him not unfrequently in court trying cases, some of them of the very greatest importance, and I had such cause to reverence and admire him that in my library, where I now write, stand three busts of the three greatest lawyers, each in his peculiar sphere, of whom I ever had any knowledge: Jeremiah Mason, Daniel Webster, and Rufus Choate.

The consummate ability and skill shown by him in perhaps one of his most important trials, — the case of Ware *vs.* Ware, which I have mentioned, — has nearly tempted me into a description of the trial. But I am warned that I cannot do Mr. Mason fair justice, nor delineate him so that others can be brought to see and appreciate with me this consummate skill in cross-examination of witnesses, without taking more space than I dare devote even to so great a topic. To show him as he was in that trial, and as he appeared to me, would require a verbatim report of the whole case.

The contemplation of his efforts and of the possibilities which were open to me in the profession of the law, convinced me that there were higher vocations in life than being either a doctor or a clergyman, and I resolved that I would take, as my sphere of study and labor, the profession of the law.

I did not, however, give up my studies in physics and chemistry, for I believed that in the profession of the law a knowledge of the wonderfully advancing science of chemistry would be of assistance, especially in the trial of cases of murder by poison. In after life I have found, on more than one occasion, that the capacity to analyze the contents of the stomach of a person claimed to have died from poison, has been of great service; and in civil cases more than once, when the ascertainment of the purity of substances was necessary to the knowledge of facts, has the knowledge of chemistry given me the most valuable aid in the trial of causes.

The winter vacations were made very long, quite the length of the winter schools in Maine, and I taught school each winter at least eight weeks. The stipend was quite small, but it gave aid to expenditures during the rest of the year. I am glad to say, in advice to any young college student who desires to know how best to spend his college vacations, that these winter school teachings were the very best part of my education. In the day school there were spelling classes, and there were two evening classes in the week especially so devoted. Many of these evening classes were given up to competitive spelling, — that is, all the young people in the vicinage came together and competed for prizes for proficiency in spelling. The master gave out the words from the spelling-book, or from any other book he chose, the hard words being always picked out and put to the pupils of the evening classes. Thus the master of necessity became of the highest proficiency, and, like Lady Byron's governess, "by teaching learned to spell."

In the hundreds of scholars under my care, all diversities of human nature were exhibited, and from the model I learned the man. I say, therefore, to the students of this generation, that they might far better spend their winter vacations in teaching school than their summer vacations in waiting on flirts at some fashionable summer resort. I do not admire that arrangement of college vacations which enables such employment to be followed. Better return to the old one.

In the third school year, I gave much more attention to the studies of the college course. They were more congenial. The text-book, Wayland's Moral Science, interested me, and in my final examination of the book, I was enabled to recite thirteen pages verbatim. Wayland's Political Economy taught me to be a free trader, as do all such college text-books teach students. These doctrinal teachings would be perfect did all nations stand, in all respects, upon a complete level; but as they do not, the teachings applied to statesmanship are as useless as they are vicious.

I have the very highest respect for the learned professors of colleges. But when they go out to talk on politics, they always remind me of a recluse old maid lecturing on how to bring up children.

One portion of the exercises of that year was the reading of Demosthenes' "Oratio de Corona." I do not like to burden my printer to hunt up the Greek letters "Pro Stephanou." The rendering of that oration into good English was a delightful study, and I have a right to say that I charmed my Greek professor in that. But we had, unfortunately for him, a little tiff late in the term. He had an abiding hope of being made professor of rhetoric in connection with our Greek exercises. At the examination before the trustees, he called upon me to read the paragraph commencing "Gar in Hespera." I translated it certainly very creditably.

To show the extent of his instruction, the professor began to ask a few questions in rhetoric: "What is this part of the oration called?"

"The peroration, sir."

"How do you know it is the peroration?"

Of course the proper answer was: Because the orator sums up as his last and greatest effort the arguments that he has used before, so as to put them in the best shape possible to captivate the sense and mind of his audience. Thinking it a good time to get even with the professor, I answered: "Because you told me so, sir."

This reply was to his great disgust, as it made it appear that his best Greek scholar had learned from him nothing but how to read the text. Suffice it to say that he did not get the professorship of rhetoric.

As I have already admitted, my forte in college was not mathematics, and especially mathematical demonstrations by means of the blackboards. My tutor, of whom I have before spoken, remembering my impudence, thought to humble me in the examination in that branch before the faculty. It so happened that I went out, as those who were not being examined were at liberty to do, while the demonstrations of others were being made. When I went into my room, my trigonometry lay open at a pretty abstruse and difficult demonstration, and, while waiting there, I went carefully over it with a memory that would carry every line of it for a while. I had but just returned to my seat in the class when the tutor called out: "Mr. Butler, demonstrate on the blackboard such a problem." By good luck it was the very problem I had just studied. Of course the demonstration was quite perfect. If ever a teacher was thunder-



WATERVILLE COLLEGE, WATERVILLE, ME. From Drawing in 1834.

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struck at the proficiency of his pupil, it was Tutor Farnham on that occasion. Upon the whole, I graduated 7.5 out of 10 on the general average, prayers deducted.

I had a part, and as I remember it, my dissertation was the worst one I ever made. In the afternoon, after the degrees had been conferred, the graduating class called upon the President, Rev. Robert B. Paterson. For him I had the very deepest regard, and for him and his family in later years I had the good fortune to do several kindnesses. He courteously received the class at the door of his house, offering his hand to each as we came up. We marched up in alphabetical order. It brought me near the head of the line. I held back and did not present my hand, and I have no doubt he supposed it was because we had had some discussion on the evidences of Christianity, wherein I took the liberty to differ from some of his propositions. Neither of us said anything until the rest of the class had passed by him. When I came to my place, 7.5, I said: "Mr. President, now is my turn; 8 has just passed."

"Oh," said he, "Butler, why so formal?"

"Because I am going to take this place in the class for the last time. I mean to take hereafter the place I have fairly earned for myself."

An incident occurred in the spring of that year which had considerable effect on my after life. On the 11th of May, the ice went out of Kennebec River, which was immediately behind the college, and a day or two afterwards, I went into the river to take a swim. Cakes of ice two feet thick were thrown upon the bank, and I used one of them for a seat for undressing and for dressing after I came out. It was not the first time that I had done that, but I lingered too long, and when I undertook to bring myself back to a glow by a run of a mile or so, I found that it was impossible, and at the end I was shivering as much as at the beginning. I went to my room and found myself seized with a severe cold. This terminated in a troublesome cough, so that on my graduation I weighed but ninety-seven pounds.

On my return home my mother thought I was going into a decline, and she was told by her medical adviser to give me the benefit of a short sea voyage, which I took in a fishing vessel belonging to a friend of my father. On the day that we were to sail, I went

on board. The old fisherman received me with great cordiality, which was not diminished until a box was handed over the side.

"What's that, Ben?" said he.

"A box of books, sir."

"Mate, you may put that down in the hold. You have had enough books, Ben; now I want you to become a sailor. And them store clothes won't do. Go ashore with the mate and get you some sea clothes such as he will choose."

I went ashore, but was not quite satisfied with the mate's selection. While I got the heavy clothing he desired, I insisted upon its being somewhat ornamented. I put it on in the shop where I bought it, and the mate took the bundle of other clothes back. My sou'wester had long ribbons hanging from the hat band; there was some embroidery on my jacket, and my pantaloons were more fit for the stage than for the vessel, and were not tucked in the tops of my boots.

When I presented myself on board, the skipper said: "What do you think you look like?"

I with reasonable pride, said: "A sailor, sir."

"No, you don't; you look like a monkey. Now I suppose you want a good time. You will sleep here in a bunk in the cabin with me, and you will eat with me, when we sit down to eat. I would advise you to let me put your name on the mate's watch list, and to take your place when the watch is called. If you do, you will have a good time; but if you set yourself up here by yourself, you will never go forward without a pail of slush happening to tumble over you. You can tell the crew a great many things that will amuse and instruct them, and they can tell you a great many things that you don't know; and if you have any sense,— and you know I don't know whether you have any or not, — you will have to learn a great deal. But you will have to work hard, and if you have got anything in you that will bring it out of you."

I took all the old man's advice. It was not delicate, but it was good. I took my place and was taught to "knot, reef, and steer," and very soon the crew became very kind and very fond of me. In the long watches we exchanged information upon such points as each had been taught, so that when the watch was at end at midnight, frequently when I was yawning I would be kindly saluted with,

"Go below, Ben, and get some sleep, and we will take care of the vessel until the next watch is called."

As we were cod fishing, we preserved the livers by throwing them into a half hogshead, where the oil was separated by the process of maceration and floated on top. The low temperature prevented anything like offensive decomposition, and when it was very cold, say ten below, I have taken the tin dipper, — and I alone was allowed to do so, — and dipped out the oil and drank with as much relish as I ever drank anything in my life. It was fuel for my stomach furnace. The air, frozen dry in the upper latitudes, restored my lungs, and when I reached home, I had gained some twenty-five pounds in weight. Since that time health and strength of body have never deserted me. I have never been sick in my life to a degree requiring me to spend half a day in bed, except as the result of an accident, so that in the four years of the war, I never lost a day by sickness.

On my return to Lowell, I commenced the study of law in the office of William Smith, Esq., a New Hampshire lawyer of considerable learning. He had the most complete library in the city, and remnants of it, after escaping two fires, are still in my possession. But Mr. Smith had taken for himself an office in Boston, where he attended much more largely to operations in real estate than he did to legal cases, although he had a considerable practice. He went to Boston nearly every morning, coming back at night. He never interfered with my studies or gave any direction concerning them except to reply kindly and carefully to questions asked him. He at first gave me Tucker's edition of Blackstone, and told me to read it carefully, not attempting to commit it to memory, but studying it so as to understand it thoroughly. Then he left me to myself. I did not know how to read Blackstone, but I did that which was the very best way, so far as I can yet see, — I read the text and the notes, and then read the cases cited in the notes as the best means of understanding the text. But this was a very laborious and time-taking method. I also read some of the cases cited in the citation, so that as far as going through the book was concerned, I made but little progress, although I worked very diligently. I used to begin reading at half past seven o'clock in the morning, stopping at twelve for dinner, beginning again before

one and stopping at six. I then returned to the office at seven, and closed usually at ten.

For exercise, my brother-in-law had given me a small gray saddle horse, very sprightly and strong. I usually rode him four or five nights a week, for an hour or two hours, about the suburbs of the city and lonely ways of the neighborhood, meanwhile amusing myself by recalling and reciting snatches of poetry, especially from Byron, and Moore, whom I much admired, and sometimes from Pope and Scott.

Commencing in the early autumn of 1838, this continued till late in the spring of 1839. By this time, I had finished my Blackstone, and was told to read "Kent's Commentaries for American Law." I had lighted upon a treatise published in Rhode Island upon the Constitution of the United States, apparently a text-book for schools. I began by committing to memory the Constitution. Then I read the author's comments upon it, which learning has stood me in good stead ever since. I also read with eagerness "Stephens on Pleading," one of the most delightful and profitable books I ever studied.

Mr. Smith had a considerable number of tenement buildings in his charge, and about this time found it necessary to eject certain defaulting tenants by legal process. This part of his business he turned over to me, acting in his name, and at the same time allowed me the proceeds in the shape of costs, and sometimes small fees for my work. That brought me to practice in the police court, which was then presided over by the Hon. Joseph Locke. Judge Locke required all the proceedings of the court to be conducted with as much regularity and observance of forms and rules of law as were the proceedings of any other court. I now know what I did not then, that he was a lawyer fit to have presided even in the Supreme Court. He made the young gentlemen who generally practiced before him know what the law applicable in their cases was. This was a good fortune, for I looked up the law in regard to my cases, and studied each point with great avidity, so that I substantially began the study of law then. I soon became proficient in the law of evidence, especially in the rules of pleading in criminal process. My studies, therefore, lasted frequently into the night, and I often called for my horse at the stable for a ride, after the hour of twelve had struck.

This went on until the autumn of 1839, when a vacancy occurred in a small academy in the town of Dracut, across the Merrimack River, and the trustees asked me to take charge of the school. For my services I was to receive the tuition paid by the pupils, and that depended upon the number of scholars. It was a queer school. There were twenty-one scholars, about sixteen of whom were boys. The large portion of them were pupils who had found cause to leave the schools in Lowell, generally not because of their virtues. They ignored all discipline, and had routed the former preceptor. I, by habit of mind, was a disciplinarian, so that it happened at the end of three weeks I had lost eleven scholars out of my twenty-one, but no one of them had gone away without a thrashing, the remembrance of which would last him a lifetime. My revenues seemed to be diminishing, but the fact that I had disciplined my school brought some more girls and a different class of young lads, so that I soon regained as many pupils as I had lost, and at the end of three months I had five more than at first.

I took the utmost pains with my pupils, and spent every Wednesday afternoon and Saturday with most of them around me in the woods and pastures, explaining to them what I knew of trees, herbs, and flowers, minerals, and grasses, and the effects of light and shade. In a large closet belonging to the academy I arranged a camera and lenses, so that in bright afternoons I was able to show the refraction and dispersion of light by different lenses, and to exhibit to pupils the beautiful effect of prisms under a single ray of light, and the direction of the passage of rays of light through a cloud made by burning resin. The parents of the children became interested in such matters, for they had never seen the like before. Eventually, they provided means to darken the academy so that the experiments might be carried on with greater effect, and they attended.

Meanwhile, I gave six hours a day to my studies of law. At the end of the term, I had the honor to have an earnest application from the trustees to continue the school for another term at least. This I felt myself obliged to decline, although my finances sadly needed the tuition money, which would have been in the next term fair remuneration. My object was my profession, and it could not be delayed.

I returned to my studies and practised in the Police Court, always carefully attending the sessions of the Superior Court, and coming home to the office to study from the books the questions of law raised at the bar. I so continued until the September term, 1840, for the Court of Common Pleas. The session was held in Lowell, and the Hon. Charles Henry Warren presided. Mr. Smith had quite given up the practice of the law in courts, although he had frequent applications for advice. He advised me to make application for admission to the bar, offering, if I were admitted, to go into partnership with me under my own name, because of his own financial difficulties.

As the law then stood, if a student had slept in a lawyer's office for three years, claiming that he was studying law, and his teacher would give him a certificate that he had done so, he could be admitted to the bar as a matter of course. But if the student had passed any less time in a lawyer's office, he had to be subjected to an examination by a judge of the higher courts before he could be admitted. Mr. Smith made an application for me to the judge for admission upon examination, stating that he thought I could pass the examination. The judge appointed an hour early that evening, at his lodging, for me to appear to be examined. He received me very kindly, and asked me when and where I graduated, and what I had done since. To all of this I answered, saying only that I had been attending to the law for two years, with the exception of three months that I had been engaged in teaching. He then asked me what text-books I had read. I told him. He said, "You have read very few text-books." That was too true to be denied. He said that he thought I had better read a year longer, and that he would advise me so to do. I said I was very much obliged to him, and I thought I had better read five years longer, but the difficulty was I did not see how I could get the means to do it. He said that under the circumstances unless I insisted, he would rather not examine me. I said to him that it was necessary that I should be examined, if I were fit to enter the profession, and if I were not he would soon show me wherein I was deficient, and if it would not trouble him too much I desired the examination. He said, "Very well," and began a series of questions upon the practice of the law. He supposed I had no knowledge of this, and thought he could

easily convince me that I ought to have some. But the tuition that I had got from my friend, Judge Locke, was too much for him. That part of the law I knew better than some gentlemen who had been in practice for years.

I remember that among the questions he asked was this: "If you had a deed to prove in court where both the maker and the subscribing witness were dead, how would you prove it?"

I answered him at once: "By calling somebody who knew the handwriting of the subscribing witness and proving his handwriting."

He said to me: "Why not prove the handwriting of the maker?"

"Because the subscribing witness," was my reply, "was called by the parties as a sort of attestor, and, therefore, we prove the signature of the subscribing witness and not the maker's."

He continued that kind of examination which related to the practice in courts, saying to me that that was a thing I should feel myself most in need of. This continued for a very long space of time, it seemed to me, but I suppose about the space of an hour.

He then put me this question: "I see you have always been in court while I have been here holding session, apparently attending to the cases as they go on. Do you understand the proceedings?"

"I try to do so, sir, and I think I do understand some of them at least."

"Well," he said, "we sat a little later than usual to-night, and I observed that you remained there until the case was finished."

"Yes, sir."

"Will you state to me, in your own way, what that case was, and the points raised, and the ruling of the court?"

I answered: "That case was a suit brought by the indorsee of a promissory note against the maker. The defence was that the maker was an infant, *i. e.*, under twenty-one years of age, when he made it. The answer to that was that after he became twenty-one years of age, when it was presented to him he had promised to pay the note. The reply to that was that the promise was after the indorsement, and although the note was negotiable, it did not pass to the indorsee."

He said: "You have stated the case with correctness; I so ruled."

"Yes," I said, "and directed a verdict for the defendant." I then looked up and said: "I thought your honor ruled incorrectly."

He, with a kind smile, said: "What reason, Mr. Butler, have you for that?"

I said: "Because the note was negotiable when it was made, and remained so, and when the infant, when he became of age, promised to pay it, it then became a note precisely as it would have been if it had been made upon that day. The note was sued upon as a negotiable note, then made, and it was not the promise passed by the indorsement, but the note."

"That view of the case was not put to me by the counsel."

"I observed it was not," said I, "and as it has been my habit to do, I went to my office to look for an authority which I thought I remembered. I found it, and the exact case has been decided, and upon the reasons I have given."

"When you go back to your office, Mr. Butler, can you send me up that authority?"

"No, your honor; I am the youngest in that office, and I have nobody to send, but I can bring it to you if you desire."

"You will do me a great favor if you will do so."

I went home and hunted up the authority in the "English Common Law Reports," and put in a mark, and gave it to the clerk of the hotel to hand to the judge.

I did not sleep much that night. I went into the court the next morning, and after some of the motions of course were passed upon, which was the habit in those days, the judge called the counsel who had tried the case the night before, and said to them: "Upon reflection, I think I made a mistake in the ruling I made last night, and as whichever way I rule I suppose the case will go up on exceptions, it will make no difference which way I rule except to myself. If you will consent, I will reverse the decision and have the jury give the verdict for the plaintiff, no business having intervened since." The counsel seemed surprised, but consented. This comforting thought passed through my mind: "If you do not admit me now, judge, I will tell on you." That thought was an unworthy one. The next thing that he said was: "Mr. Clerk, Mr. Butler was examined by me for admission to the bar, and you can administer the oath and enter his name on the rolls. It is due him to say that

the matter of my ruling came up in the course of his examination, and his suggestions led me to examine the matter further, and change my ruling."

He was one of the few judges I have known who was big enough to do such a thing as that. From that day to the day of his death we were fast friends. If any one should desire to see the case, it will be found in the 1st Metcalf Mass. R., Reed *vs.* Batchelder, p. 559, where the judge's later ruling was sustained by the Supreme Court. It may enliven any legal reader to tell that another young gentleman was examined for admission some little time after, and the morning following, he said to me: "The judge asked me a question last night which I do not know whether I answered right or not. He asked me what was an administrator *de bonis non*, and I told him it was an administrator where there was not any goods." I said, "I hope he won't reject you on account of that answer, because it is generally right in point of fact, even if wrong in point of law."

During the autumn of 1840, I began my education in national politics, making my first speech in favor of Van Buren as against Harrison, who was so triumphantly elected. Harrison's election did me a great good, for, as my speeches did not change the result, I was for a time disgusted with politics and stuck to law, as I would advise every young man to do, until he has secured at least a competence, so as not to be obliged in after life to live upon politics.

## CHAPTER II.

## EARLY POLITICAL ACTION AND MILITARY TRAINING.

IN chronological order it might, perhaps, have been well to record here what there has been of interest during my legal career. For I have been engaged in the practice of law with unabated devotion substantially to the hour of writing, save for some fifteen years, more or less, which were devoted to the public service.

Upon reflection, however, it seems best that I should pass over for the present my legal experiences *before* as well as after my public services. These two periods include that portion of my life for whose pursuits I have had the greatest fondness, and I shall describe them in a continuous narrative later on.

In the year 1839 I made the acquaintance of Fisher Ames Hildreth, the only son of Dr. Israel Hildreth, of Dracut, a town adjoining Lowell on the north side of Merrimack River. That acquaintance ripened into an affectionate friendship which terminated only with his death thirty years afterwards.

Dr. Hildreth had a family of seven children, six of them being daughters. The eldest, Rowena, was married in 1836 at a very early age to Mr. Henry Read, a merchant of Lowell. The two youngest children were then merely schoolgirls. Fisher invited me to the family gathering at the Thanksgiving feast of that year, and there I first met Sarah, the second daughter. I was very much impressed with her personal endowments, literary attainments, and brilliancy of mind. Dr. Hildreth was an exceedingly scholarly and literary man. He was a great admirer of the English poets, especially of Byron, Burns, and Shakespeare, and had early taught the great poet's plays to his daughter, who, in consequence, developed a strong desire to go upon the stage. Her father approving of this, she appeared



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MRS. SARAH BUTLER IN 1839.
Engraved from a Daguerreotype.

with brilliant success at the Tremont Theatre in Boston and the Park Theatre in New York, her talents for delineation of character being fully acknowledged by all. She was taught her profession by Mrs. Vernon, a very accomplished tragedienne. Mrs. Vernon was assisted by Isaac C. Pray, Esq., himself a writer of plays, and it was in the leading part in one of Mr. Pray's dramas that Miss Hildreth first appeared upon the stage. When our acquaintance began I had never seen her on the stage, her home life being sufficient to attract me. She declined to leave her profession, however, until I had "won my spurs" in my own profession, and had become provided with the means of making a home for both. But a most cordial and affectionate intimacy was maintained between us. In the spring of 1843, I visited her at Cincinnati, Ohio, where she had been welcomed and honored as a star. There we became engaged. We were married on the 16th of May, 1844, at St. Anne's Church in Lowell, by the Rev. Dr. Edson, its Rector.

We made our home at Lowell from that time until her very sad and untimely death in 1877. There were born to us four children: Paul, the eldest, who died in April, 1850, at the age of four years and ten months; a daughter, Blanche, born in 1847, and a son, Paul, born in 1852, both still living; and a son, Ben Israel, born in 1854, who departed this life on the first day of September, 1881, the day he was to have gone into partnership with me in the practice of the law in Boston.



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BENJ. F. BUTLER IN 1839.
Engraved from a Daguerreotype.

Ben Israel was appointed to West Point when I was in Congress. I had already made three appointments, two of the young men failing to complete the course, and one, a colored lad, not being allowed to enter. The young cadet graduated with honor, and was directed by his father to accept a lieutenantcy in a regiment of colored troops which was stationed on the Plains, that he might have, in addition to his instruction at the academy, the knowledge of the movement and care of troops in actual service. In this onerous work of defending the scattered population on our frontier from Indian raids, he served one year.

The reason for this selection was that I believed then, as I believe now, that this country is to have a war in each generation. Every preceding generation in this country had had its war, and in the most important of all his father had taken an active part. The colonies had, in 1758, the French and Indian War, the result of which was the taking of Quebec by Wolfe, and the destruction of the power of France on this continent. Zephaniah, my grandfather, was a soldier under Wolfe's command. There hangs before me, in my library, a powder-horn, such as was worn by every soldier of that day. On it is engraved with his own knife, "Zephaniah Butler his horn April ye 22, 1758." And Captain Zephaniah fought with Stark at Bennington.

Then followed the Revolution, from 1775 to 1783, and one of my uncles was at Bunker Hill. The next generation saw the war of 1812 with Great Britain. In this war, my father, John Butler, commanded a company of light dragoons in the regular army. Next, in 1830, were the Spanish wars in Florida and the Gulf States, wherein General Taylor and General Jackson — then captains — so distinguished themselves. Next came the unpleasantness of 1861 to 1865, which, I think, in spite of the euphemism, might well be termed a war of our generation, and with which, it may be seen hereafter, I had somewhat to do.

Therefore, believing that there could be no war in which a son of mine especially would not take a part in his generation, I had him educated at West Point, so that his efforts for his country might not be thwarted by the officers of the regular army because he was not of their nobility, and I required him to go into the field for a year, so that he might get some instruction as a volunteer.

My family had no coat of arms, and I have been taunted with the fact by my political foes, some of whom pride themselves upon an ancestry which won distinction by amassing wealth from the sale of codfish and New England rum, — with which, in early colonial times, Africa was supposed to be Christianized. At such times I have been tempted to reply, since I had before me the swords of four generations, each actually worn in the military service of the country, "'Tis true my family has no coat of arms, but we have the arms."




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SWORDS OF FOUR GENERATIONS IN GLASS CASE, AT HOME OF GEN. BUTLER AT LOWELL.

I planned that my son should become my partner in the profession of the law. I had seen that nearly all the generals in the War of the Rebellion who had been at West Point and had achieved success, had quitted the profession of arms at an early age, and I was desirous of giving my boy, who had been a soldier, every chance as a civilian. He studied his profession at the Columbia Law School in New York, and, after two years, was admitted to practice upon examination before the term of study was closed. I had hoped to lean upon him in my declining years, to take my place in that profession which I love and honor. "Man proposes, but God disposes."

My daughter married Major-General Adelbert Ames, who made his mark during the War of the Rebellion and in the reconstruction of the country, so that I have no need here to remark upon his history. They have six children. The eldest, Butler Ames, is now a student at West Point. So, God willing, one of the race will be in the next war to do honor to the blood of his father and the race of his mother.

My son, Paul, chose business pursuits after he was graduated at Harvard. I sent him to Harvard, not because I deemed it the best

school in the country, but because I could not foretell what might be his future, and I chose that he should not be hindered, as his father had been, by the fact that he was not a graduate of Harvard. A class of Massachusetts people believe that a course at that college is indispensable to advancement in almost any pursuit in life, especially political; and, as soon as a graduate obtains political preferment he is hailed as the "scholar in politics."

My wife, with a devotion quite unparalleled, gave me her support by accompanying me, at my earnest wish, in every expedition in the War of the Rebellion, and made for me a home wherever I was stationed in command. She joined me at Annapolis and accompanied me to Fortress Monroe when I was assigned there in May, 1861. She went with me on the expedition to Ship Island for the attack upon New Orleans, wherein I was exposed to the greatest peril of my life; and only when my ship was hourly expected to go to pieces, and when I importunately appealed to her good sense that our children must not be bereft of both parents, did she leave me to seek safety on board a gunboat. But of that more hereafter.

She suffered great privations and hardships on the sands of Ship Island while we were awaiting the attack on New Orleans, and was on the first vessel containing troops that went up the river after the surrender of Forts Jackson and St. Philip. She went ashore with me and lodged at the St. Charles Hotel on the night after I took possession of the city of New Orleans. When in 1863 I was assigned to the command of the Department of Virginia and North Carolina, she accompanied me again to Fort Monroe. In 1864 she went with me to the field, and was present with me during most of the campaign of 1864.

Thus I had an advantage over most of my brother commanding generals in the department and in the field, in having an adviser, faithful and true, clear-headed, conscientious and conservative, whose conclusions could always be trusted. In the mere military movements, although she took full note, she never interfered by suggestion, for in regard to them I relied upon the opinions of my valued, accomplished, and efficient staff officers. In other matters all that she agreed to was right and for the best; and if there is anything in my administration of affairs that may be questioned, it is that in which I followed the bent of my own opinions.



LIEUT. BEN ISRAEL BUTLER.

Son of Gen. Benj. F. Butler.

From Oil Painting.

Returning home with me, after I retired to civil and political life, Mrs. Butler remained the same good adviser, educating and guiding her children during their young lives with such skill and success that neither of them ever did an act which caused me serious sorrow, or gave me the least anxiety on their behalf. She made my home and family as happy as we could be. She took her place in society when at Washington, and maintained it with such grace, dignity, and loveliness of character that no one ever said an unkind or a disparaging word of her.

From my earliest vote I became deeply interested in politics. By politics I do not mean such questions only as how far the Virginia resolutions of '98 should be the guide of the future of this country, leaving its frame of government virtually a conglomeration of States by no means indissolubly bound together, each of which should conduct for itself every substantial function of government, as independent sovereignties united only for purposes of common defence in war and insurrection, having a general government with so little power of interference in any matter that affected the prosperity of the whole country, except the postal service and the least degree possible of judicial control of legal questions by the Supreme Court, that as Jefferson proposed, the general government should be what he wished it named, "The Department of Foreign Affairs of the United States;" or whether the doctrines of Hamilton should obtain, whose sagacity foresaw that the United States must, after it passed the period of its earliest youth, grow into a nation wherein the national authority could override and supersede all the powers of the States except so far as their domestic concerns were involved, into which theory and practice of government we are fast and inevitably drifting. The politics in which I very early took part was that practical politics which dealt with the condition and welfare of the citizen.

From my earliest youth I had been taught to believe in democracy, of which Jefferson was the apostle; and to abhor federalism, of which Hamilton was the exponent. While I had been dazzled with the brilliancy of Jackson's administration of national affairs, I early had sense enough to see that it conflicted, in a very considerable degree, with the teachings of Jefferson.

I may as well state here as anywhere the conclusions to which I have been brought by a lifetime of the closest study and connection

with national and State affairs and practical politics. This country is to continue certainly for years in accordance with the theories of Hamilton, whose great genius and clear reasoning formulated a system of government; while the philosophical lucubrations of Jefferson are the best instructions as to the mutual relations of its citizens in all conditions of life.

In a word, the government of Hamilton, clothed with every necessary power and inhibited only from oppressing either the masses or the individual, should protect the rights and carry out the equality under the law of each and every citizen of the republic, if either should be limited or injuriously or fraudulently interfered with either by the permission or by the enactment of the governments of the States. Therefore I declare my political convictions to be these: — As to the powers and duties of the government of the United States, I am a Hamiltonian Federalist. As to the rights and privileges of the citizen, I am a Jeffersonian Democrat. I hold that the full and only end of government is to care for the people in their rights and liberties, and that they have the right and privilege to call on either the State, or the United States, or both, to protect them in equality of powers, equality of rights, equality of privileges, and equality of burdens under the law, by carefully and energetically enforced provisions of equal laws justly applicable to every citizen.

I have deemed it my duty to myself and to my readers to state these, my conclusions, for they have tinged if not permeated every public aim of my life, and every private aim also, I hope.

Coming to Lowell at the early age of less than a dozen years, when it was a small manufacturing town, I became a part of the beginning. But the town had grown so marvellously that in 1836 it had become the second city of New England, and the largest city in the country whose business was solely manufacturing. The people, women and children as well as men, were engaged in daily labor in mills whose machinery was driven by what was then the largest improved single water power in the country. This city had also a singular peculiarity regarding the conduct of its operations. All the capital employed, with the exception of the merest trifle, was owned by non-residents.

The management of that capital was in the form of several large corporations, in each of which was a very considerable community of



MRS. BLANCHE BUTLER AMES.

From a Photograph.

stockholders. The business affairs of these productive establishments were carried on precisely alike. The bells of each rang their laborers in and out of the mills; called them to arise in the morning and take their breakfast by candle light, save in the very longest days; rang them to take their supper at half-past seven in the evening by such light as might be at that hour. An intermission of thirty minutes only was allowed for dinner. By means of carefully adjusted time-pieces all the bells struck as nearly in unison as was possible without the aid of electricity.

Again, no laboring man or woman who had been employed by one corporation could be employed in any other in the city without a pass from the first. Thus the lack of this pass meant no work in Lowell.

These laboring people had been gathered here almost wholly from the several States in New England, with the single exception of some English and Scotch workmen skilled in the making of cotton and woollen goods. Being brought up with them I knew them to be of the best class of citizens — the sons and daughters of farmers in Maine, Vermont, New Hampshire, and Massachusetts. No better body of citizens, no purer people, ever came together.

To the credit of the owners of the mills, it is but just to say, humane, philanthropic, and far-sighted economic business regulations were made, and provisions were established that education should be furnished for the children, and the advantages of religious instruction given to all. Measures were also taken to provide for the morals of the operatives, and houses were built in which they might find the comforts of home at the cheapest possible rate. In each house was a matron in charge, and there was a regulation that the inmates should show cause if out later than ten o'clock in the evening. That was the hour at which the door-key was turned, the curfew being rung by all the bells together at nine o'clock.

It will be observed that I have said these regulations were for economic reasons. The great men who founded Lowell knew that good morals were the prime qualification of good working people. Again they knew that the unit of the price of ordinary labor, other things being equal, was what a laborer could barely live upon and support his family. That rule has now become axiomatic: the cheaper a laborer can live, the cheaper he will work. Therefore the provision

of the house where board could be had cheaply by the working man and woman, made them contented with the rate of wages.

It is also to the credit of the founders of Lowell and those who have succeeded them even to this day, that provision was made that on a given Saturday in each month, every man, woman, and child should be paid the wages earned the preceding month, in cash, without any deduction or diminution. The only exception was that in the earliest years one corporation required thirty cents a month to be deducted for the support of religious worship. So well has this full and regular payment of wages been maintained that a really serious "strike" for higher wages has never occurred in Lowell, and, further, no worker in the corporate mills in Lowell has ever lost by non-payment a dollar of wages earned.

When President Jackson visited Lowell in 1833, all the laboring men and women of the mills turned out to welcome and escort him. Every woman carried a parasol and was dressed in white muslin, with a blue sash, save the women of the Hamilton corporation, who wore black sashes in respect for the memory of their agent [manager], who had just died.

Afterwards, so strong was the feeling of American citizenship, that the several hundred operatives in the weaving rooms of the Hamilton mill struck and left the mill because the company had put into their room an Irish washerwoman to scrub the floor. *They* were native Americans and would not stand that.

With such people I spent my boyhood and knew them well. I played with and went to school with their children; I became acquainted with the use of tools in the shops, by the permission of the fathers; I learned to reverence and admire women and men without regard to what the one wore and the other possessed. I knew all their wants; knew their sicknesses and the causes thereof; saw the deterioration in their bodily health from year to year as they grew pallid and nervous. I found that the mill life averaged about five years, — not that people lived no longer than five years who worked in the mills, but that as a rule that employment was compelled by necessity rather than by choice, and was quit as soon as the operatives could afford it. The girls came from the country to work in the mills to get a few hundred dollars to remove the mortgage on the home place; the young men came for the same purpose, or to get the means of start-

ing in some other business. Nobody came to Lowell in those days to become a resident operative as a life business.

Fortunately, I became socially intimate with a very able and very accomplished physician of most conservative views in a neighboring town, who had no concern with the mills in Lowell or with their operatives, save when called as a doctor. He explained to me that the hours of labor, thirteen and a half hours a day for six days in the week, were too great a strain on the life-powers of the operatives. There was only thirty minutes' intermission in the fourteen hours to get a hurried meal, which could not be readily digested when the laborer was at work. Though for the most part the labor was not heavy, yet, being in connection with the running of machines, it required constant attention, so that whatever time there was the work could not be remitted. While this long day was not immediately destructive, explained the doctor, it certainly permitted the "survival of the fittest" only, and in the end deteriorated the physical strength of the whole population.

Thus instructed and convinced, my first political action was an endeavor to procure from the legislature an enactment making ten hours a day's work in manufacturing employments. I gathered around me a few of like thought, and the struggle began. A more unpopular movement in the opinions of the mill managers and their principal workmen could not have been made. How and why one of the agents, who was my friend, visited me to remonstrate may be adverted to hereafter. The lips of the operatives were closed; for if they said "ten hours" loudly, or if some enemy reported that they attended secretly a ten-hour meeting, their days of working in the mills of Lowell were numbered.

I am not denouncing this action on the part of the managers; it was natural. They thought they were doing right; the stockholders wanted large dividends, and they were having them. The mills were exceedingly profitable. They were the highest class of investment in the State, and their surplus funds devoted to the enlargement of their properties were simply enormous.

The argument of the agents when some few of the more intelligent deigned to argue with me, was this: "How can the mills of Lowell running only ten hours compete with the mills of Rhode Island, Connecticut, and other States, where they run fourteen or fifteen hours?"

That my reply was not a sufficiently practical one is admitted, but I answered: "Let Massachusetts set the example of short hours; her manufacturers are strong enough to do it, and the others will soon be brought in."

The rejoinder was: "We cannot afford to do that."

"Well, then, run ten hours, and run faster, and you will get all the best help even if you pay somewhat reduced wages."

To this it was said: "We are paying as high wages as our neighbors in the other States, and we have a better class of men and women than they do because of our facilities for living. We cannot run faster."

They were honest in this belief, but it was a mistake, as time has shown, because now quite all machines are speeded quicker, and in some instances, when a given machine runs slower, the same person attends more machines.

"But you are using up in your business the health and lives of your operatives, and destroying their constitutions, an injury which they are transmitting to their children."

"We do not admit that. But even if it were so, our operatives are at liberty to go away whenever they choose. They have the remedy in their own hands if they are being made sick."

"But their necessities require them to work here, and you have a duty to your fellow-creatures."

"Yes," the principal one of them said, "and one duty is to give the people as cheap calico as can be made." I have heard that same argument since in regard to tariff reform, or free trade, by those who claim superiority in party action because they claim to adapt conscience to politics. But I have never been convinced by it.

The contention went on and I made many speeches at night in many parts of the State whenever I could find time to get away from my law business. Agitation went on. In the legislature, of course, the ten-hour men were beaten. The manufacturing newspapers exhausted their billingsgate upon me. There was no bad name that could be used that was not liberally bestowed; but the leaven of right eventually "leavened the whole lump," and has finally produced the bread of life for the working-men.

I remained a pronounced and somewhat prominent member of the Democratic party. We ten-hour men introduced ten-hour resolutions

into its platforms, and the philanthropic Free-Soil party which began to obtain hold in our State, adopted our ten-hour propositions before it nominated Van Buren in 1848.

In 1849 came the first attempt for a coalition between the Free-Soilers and Democrats. It was for State purposes only, because we were at variance on national issues. The Democratic party held to the doctrine that the Constitution recognized slavery, and that nothing could be done towards its abolition except through an amendment to the Constitution; while the proposition of the Free-Soil party, as enunciated by Mr. William Lloyd Garrison, one of its leaders at that time, was that "the Constitution was a covenant with hell and a league with death."

The State had been under the control of the Whig party for more than thirty years, save that the Democrats had elected Marcus Morton governor in 1839 and 1841, each time by a majority of one vote only, counted, I am proud to say, for the honor of the Whig party and of the State, by opposition returning boards. Reform had become very necessary because of the oppressive anti-labor legislation of the Whig party under the lead of the manufacturers. To bring about this reform a coalition of the Free-Soil and Democratic parties was attempted and partially carried out.

I was very strongly in favor of it because I saw hope of ten-hour legislation; and although a Democrat, I was ready to join with anybody who would ameliorate a quasi slavery in the North where the Constitution did not interfere. Although I stood with the Democracy I did not feel myself obliged by my party relations to go bounding over the graves of my fathers to catch a fugitive slave who was seeking Canada, when it was not made my duty by legal enactment. Fortunately I was not called upon to determine what I should do in that regard when obliged to act under the law.

Owing to the opposition of a small wing of the party, known as "Hunker" Democrats, that coalition was unsuccessful. In 1849 the election showed, however, that it had capabilities of success in the near future if rightly managed. The foundation of these possibilities was that by our Constitution all elections were to be determined by a majority vote. If no candidate for governor obtained a majority, then the legislature elected the governor from one of the four candidates receiving the largest vote.

As to the senators, who were then elected by counties, upon failure of election by a majority, the legislature in convention filled the vacancy by election from the two having the highest number of votes. If a candidate for representative failed of an election on the second Monday of November, such vacancy might be filled by an election in his town to be held on the fourth Monday of November. Thus it will be seen that if the Free-Soilers and Democrats ran separate candidates for each office, their combined vote would be counted against the Whig candidate in every case to prevent his election.

An understanding was arrived at between the leaders of the Free-Soil and Democratic parties, that, in counties where it was possible to elect a senator by joint ballot, both should nominate the same candidate; but where there were not large expectations of such a result, each party should nominate its own candidate.

It will be seen that we had the pro-slavery or "Hunker" Democrats, who were our opponents, somewhat at a disadvantage, for if they ran their candidates for the several offices, their ballots would count against the Whig candidates.

A further understanding between the Coalitionists was effected, that if we should carry out this programme and throw the election of all the State officers into the legislature, and then control the legislature, then the Free-Soilers should have all our joint ballots for a Free-Soil United States Senator for the six-year term; and the Democrats should have all the ballots of the Free-Soilers for the Coalition Democratic candidates. This would give all the officers of the State, and all its power, into the hands of the Coalition Democrats, the United States Senator alone being the share of the Free-Soilers.

It so happened that there were two vacancies in the United States Senate, one for the full term of six years, and the other for the remainder of the term to be made vacant on the fourth of March, 1851. These two senatorial terms were called in political parlance the "long eel" and "short eel," and the Coalition Democrats, in addition to the State government, claimed the "short eel" and got it.

I made another, a sort of personal coalition, as part of this arrangement, that as Lowell had ten representatives to be elected on one ticket, the ticket should be a joint one, half Free-Soilers and half



MRS. SARAH BUTLER.

From an Oil Painting.

Democrats, but all pledged ten-hour men. There was some demur to this, but as the ten Lowell votes might become a necessity for carrying out the whole arrangement in the State if there were not more than ten majority in the House, I was enabled to force my ten-hour movement into the coalition.

When these political understandings and arrangements became known, and politicians were aware that they had elements of success, the denunciations of them in the Whig press were terrific. Fear for the success of the scheme upset the ripe judgment and twisted the great legal learning of the Hon. Benjamin R. Curtis, afterwards Associate Justice of the Supreme Court of the United States, and one of the ablest and best of its members. Yet from his acquaintance with the Free-Soil coalition in Massachusetts he learned enough of the great principles of liberty and freedom, and of the right to equality of all men, to enable him to give a dissenting opinion in the Dred Scott case, against the whole Court, headed by Chief Justice Taney, — an opinion that will live and render Curtis famous long after those who gave the majority opinion have dropped into oblivion.

Much as I admire that opinion, still, I think it was the second ablest effort of Curtis, the first, in my judgment, being Mr. Curtis' opening argument in defence of Andrew Johnson upon the trial of his impeachment. In that case, when Curtis had finished, although much else was said by many other counsel in behalf of his client, nothing *more* was said.

Yet that great and good man was so far thrown off his balance by the horrors of the coalition, that he wrote and published an elaborate pamphlet solemnly arguing his opinion that our political understandings and arrangements to gain control of the State by voting for whom we pleased in the manner and form provided by the Constitution, was an indictable conspiracy at common law, and ought to be prosecuted as such. I think he lived to regret that opinion.

If our arrangement was a conspiracy, we not only made it, but carried it out, and seized the government of Massachusetts. This should have been an offence against the United States, as we thereby elected two United States Senators; but Judge Curtis never afterwards instructed the grand jury in the Circuit Court when he sat as judge that an indictment for that great crime ought to be found.

The leaders of the Whig party were very much alarmed. A most exciting canvass was prosecuted with the greatest vigor. Luckily for us the coalition was composed very largely of young men, among them plenty of able and vigorous debaters, full of youth, energy, and strength, such as Burlingame, Banks, Rantoul, and others, who afterwards made themselves famous.

The election came off with very curious results. So far as Lowell was concerned the hope for our success gave courage to the operatives in the mills, for we promised them protection from any unlawful acts against themselves. In consequence nine out of ten of the Lowell candidates for representative, Coalitionists and ten-hour men, were elected by a respectable majority, the tenth man being an Irish gentleman who failed to receive some native American votes. These candidates were elected against the most vigorous opposition, not only of the managers in Lowell, but of the whole Whig party of the State; for upon us, as it afterwards turned out, the politics of the State hinged. The governor and lieutenant-governor were not elected. Less than one third of the senators were elected, but those elected were substantially all of Coalitionist persuasion. There were vacancies for representatives in a large number of towns, and a considerable number had voted not to send any, as a means of avoiding another election to fill the vacancy on the fourth Monday of November. Upon a careful examination of the returns and of the probable number of representatives who would be elected on that day, it was quite apparent that the nine ten-hour representatives from Lowell would give the coalition a majority of the legislature and the State government to the Democracy, because, by their vote in joint legislative convention, the vacancies in the Senate would be filled by Coalitionists, and that would establish such a majority in convention with the House that the governor would be elected, and he would have the appointment of all the principal State officers. Therefore the pressure upon the towns which had failed to elect representatives became very heavy, but in most of those the Coalitionists were able to return blow for blow.

Something must be done to change the result in Lowell. What should it be? A ward clerk had made a return to the Lowell board of aldermen stating that the whole number of votes in that ward was eight thousand. It was, in fact, eight hundred, but he multiplied

the eight hundred votes received by each representative by ten, although they were all voted for on the same ticket, and thus made a blunder.

The mayor and board of aldermen were all Whigs, and half of them overseers in the mills. The ward officer offered to amend his return according to the facts. The aldermen refused to receive the amended return, but declared that counting eight thousand votes thrown in Ward Four where there were but eight hundred, destroyed the majority of votes by which the nine representatives were elected. They declared that their election was accordingly void, and ordered a new election of representatives on the fourth Monday. This election, if the Whigs should carry it, would give the State to that party, and destroy the hopes of the ten-hour men.

This decision was reached some five days after the first election, and of course some eight or nine days before the following election. Again the ten-hour men rallied to their standard. The Coalitionists proposed to do all they could to help us.

On Monday preceding the second election a placard was posted just before dinner on the outside gate of the Hamilton corporation, which employed a very large number of men, and where the ten-hour feeling was very pronounced. This placard was substantially in the words following : —

NOTICE.

Whoever, employed by this corporation, votes the Ben Butler ten-hour ticket on Monday next, will be discharged.

That evening a meeting of the Democratic and Coalition City Committees was called. Consternation had seized them. They said it was all up with our hopes of carrying the election. Our men would never dare to vote under that notice, so that it was no use to do any more about it. The prevailing opinion was that our only chance would be to have nothing said about this notice. Some of our committee themselves were workmen in the mills. They said they could do nothing more ; one or two on other corporations were already marked for discharge, they understood, as soon as the election was over.

One or two were contractors with the corporations for building, and both said it would destroy their business as they would get no

more contracts. The general opinion of the members of the committee was that nothing more could be or ought to be done. One contractor who had been elected on our ticket in the first election resigned from the ticket. Only one prominent man, and he was not engaged with the corporations, united with Mr. Hildreth and myself in the opinion that something should be done. I addressed the committee and said: "Very well, then; without instruction from you, I suppose, or without your interfering with what I do, I may do what I please in regard to this election as the leader of the ten-hour men." Most of them were very glad to be relieved from responsibility, and all said "Yes." I said: "Very well, then; I will have issued the following hand-bill:

To the working-men of Lowell: The following notice has been put up on the gate of the Hamilton corporation:

NOTICE.

Whoever, employed by this corporation, votes the Ben Butler ten-hour ticket on Monday next, will be discharged.

The working-men of Lowell will have a meeting [we had previously engaged the City Hall for a meeting on that evening] at the City Hall on Wednesday evening, at eight o'clock, to hear an address by COL. B. F. BUTLER upon the subject of this notice, and advice upon the question of what shall be done by the working-men and friends of the ten-hour law in view of this notice, in the coming election.

PER ORDER.

No man could be found to sign this call. I said: "Very well; leave it blank; the men will come." Accordingly everywhere in Lowell that handbill was circulated.

Many applied to me to know what I should advise to be done. I said I should tell the meeting what I should do and what I thought should be done; I had not fully made up my mind, but hoped that the good God would deal with me as He promised to do with His apostles: "In that day and that hour it shall be given ye what ye shall speak."

To say that the citizens were in a ferment, and especially the working-men, would be a very tame expression.

About half-past seven in the evening I was called upon by the manager of one of the corporations, who desired to know what my

course would be. I answered him as I had answered the others. He insisted upon talking with me, and I got away from him just in time, by hurrying, to get to the meeting. I found the hall filled almost to suffocation. The stairs leading to it were crowded, and to get me in my good working friends — I was a lighter weight than now — picked me up and rolled me over their heads to the stand, where I found myself in a somewhat disordered state of apparel. Settling myself as well as I could, I turned to the assembly. It was perfectly quiet, more so than any public meeting I have ever since looked upon. I observed carefully their countenances and was confirmed in my course. I looked around for the leading men of whom we make presidents, vice-presidents, and secretaries, but they were not there. It was evidently my meeting or nobody's.

Casting my eye into a corner of the hall and seeing a clergyman there, an earnest, honest, and pious man, who did not preach in any of the fashionable churches in the city, but who had a large congregation in his own town, I stepped to the desk at the front of the platform, on which there was nobody but myself, and said: "I see the Reverend Mr. —— present with us," calling him by name. "As it has been the custom of our fathers in great emergencies and on solemn occasions to call for the Divine grace and protection in what they should do, I take the liberty to ask the reverend gentleman to address the throne of grace." And bringing my pencil down with a heavy tap on the desk, I called out: "Let every head be uncovered;" and every hat came off. The clergyman with some difficulty reached the platform, and then made a very fervent and impassioned prayer, filled with appropriate appeals to Almighty Providence to guide and assist His children in the hour of their direst need.

When he had concluded his prayer I handed my chair to him and stepped forward. Not a hat was put on. I began very calmly, and in low but distinct tones, substantially the following address, which I believe I shall never forget: —

"Our fathers fought the battles of the Revolution, braving the perils of war with the British Empire to establish one very important and essential privilege to this people, viz., the right to govern themselves by electing to their legislatures, by votes cast in an orderly and quiet manner according to the laws, men to represent them and their interests such as they shall deem proper. If under our

republican form of government established by our patriot fathers the people of this country, acting under and in accordance with the laws, cannot govern themselves by their votes cast according to their consciences, then the Revolution was a failure. If the working-men can be deprived of their freedom and rights by threats of starvation of themselves and their wives and children, when they act according to the laws and their own judgments, then they had better be slaves indeed, having kind masters, instead of being free men who are only at liberty to do what their task-masters impose upon them, or starve. And this question must be settled here and now.

"In obedience to the laws, at the time specified at which it should be done, the working-men of Lowell assembled at their several election places and cast their ballots for ten men whom they wanted to represent their interests pledged to the reduction of the oppressive hours of labor, the length of which is destroying their own health and the health of their wives and children. Their votes were in a majority for nine of their representatives.

"That majority is known to all and acknowledged by all. By a stupid blunder, however, a clerk returned eight thousand votes cast where there were but eight hundred voters. The aldermen of the city, taking advantage of that blunder, refused to permit him to amend his return according to the fact, which was never done before by any honest body, and exercised their power to declare the election void; they thus deprive the working-men of Lowell of any representation in the coming legislature, unless they can elect some others on Monday to represent them. On that election depends the whole politics of the State; and therefore the whole power and wealth of corporate influence in the State has been brought to bear upon those weak men, the aldermen, to do us this great wrong.

"What have we done? So great wrong and outrage would justify revolution; it would justify us in any proceeding to recover our liberties; for we have done no wrong. We said nothing; we only determined in our own minds that we would go to the polls and vote as we had done before, unless we saw a good reason, or heard arguments sufficient, to change our opinions. The Whig party, which owns the ward clerk and controls these aldermen, has called no meeting to address to us any argument or reason why we should change our minds. But what has it done? One of the corporations where large

numbers of workmen are employed, and get small enough wages for good work, has, as the representative of all the corporations, addressed the laboring men of Lowell in these words:

NOTICE.

Whoever, employed by this corporation, votes the Ben Butler ten-hour ticket on Monday next, will be discharged.

"They do me honor overmuch in calling the ticket my ticket. If they had left that out I should have doubted my right to address this meeting of working-men upon this subject; but thus being called upon to do it, I am here to serve you and to save you from bondage.

"You have shown yourselves to be the party of law and order, seeking to do everything according to the law and not otherwise, and now you are told that if you exercise your rights as free men in the manner your Constitution points out, you are not only not to be permitted to enjoy any of the divine blessings which the reverend clergyman has invoked upon your heads, but you are not even to be permitted to suffer in freedom and peace the primeval curse of the Almighty,—'By the sweat of thy face shalt thou eat thy bread.' You gave up God's blessings long ago when you were obliged to work for these tyrants, but you could not see your children starve, and therefore you submitted to the punishment of His curse and asked by the sweat of your face to eat your bread. Now even this is to be taken from you unless you vote as your masters permit you to do, and thereby become their slaves. This is an unlawful threat to use unlawful force upon you, for it takes away your right to govern yourselves according to your consciences. You have only complied with the law; they have resorted to force. They avow an intention to oppress you; you have only shown an intention to assert your rights in a lawful manner."

Up to this time I had spoken in an almost conversational tone, because a whisper would have been heard in that great assembly, so silent it was. I went on:—

"I know the power of these corporations. I know many of the men who have been in charge. They have made a mistake in the appeal to force. When that weapon is tried, they are weak and you are strong. They have their mills and machinery, their bricks and their mortar, and that is the extent of their power."

And then my voice rang out as it can do on occasion:—"You are stronger than they. You have your right arms and your torches, and by them we will blot out this accursed outrage.

"As God lives and I live, by the living Jehovah! if one man is driven from his employment by these men because of his vote, I will lead you to make Lowell what it was twenty-five years ago,— a sheep-pasture and a fishing-place; and I will commence by applying the torch to my own house. Let them come on. As we are not the aggressors, we seek not this awful contest."

The effect was marvellous. A yell broke out like the agonized groan of wild animals when they feel the deadly knife at their throats. Some cried out, "Let us do it now," and applause broke out all over the hall and continued some time.

I waved my hand for silence, which was given with a hush: I shouted, "Oh, not now; not now! Let us do all things decently and in order. We are men of peace under the law. Perhaps this notice is the act of some unauthorized, superserviceable agent of theirs, some over-zealous underling,— and the heads of the corporations have not ordered it and really don't mean it, although I have heard of no withdrawal of it.

"We cannot vote Monday under such a threat. We will vote as free men and not as slaves. We have given them here and now notice of our solemn determination; let them take up the gauntlet we throw down if they dare! We must vote next Monday as free men or we don't vote at all: no election will be held. They shall have Thursday and Friday in which to adopt or repudiate this threat of theirs to the working-men of Lowell.

"Let us wait and see what they mean to do, and we will notify them that this meeting stands adjourned to meet here again at eight o'clock on Saturday evening to hear their answer, and then we have the Sabbath before us in which to act, and 'the better the day the better the deed.' Now, let us all go quietly home. Don't do anything or say anything that will give our enemies any hold upon us. I know as a lawyer where I stand in saying what I have said, and I desire in this matter that you will carefully follow my advice. If we must come to blows, it must be upon their invitation.

"I do not think they will call upon the militia of Lowell to suppress us, for you are the militia and I am its commander. Now, let

us adjourn and go home, and come here on Saturday night; and, as that may be the most important meeting of our lives, let us all be here and our friends with us: I don't think we shall see any of our enemies."

At that moment somebody called out: "There was a Whig meeting notified this afternoon to be held here Saturday evening."

"Very well, we give them notice that the working-men of Lowell want their hall on Saturday evening, and we give them further notice that the windows are wide, and that we don't want to be disturbed in our meeting, and anybody who comes here to disturb us will find out how wide the windows are. Now, unless something further is suggested, this meeting will stand adjourned until Saturday evening at eight o'clock at this place."

The meeting did adjourn, in a state of most intense excitement that broke out when the people got into the streets. It was not shown by any disorder, but by the most determined expressions of what ought to be done, so that I began to fear that I might not be able to control the storm that I had raised. Knots of men gathered at the corners of the streets all over the city discussing the matter. I spent two or three hours visiting these groups, encouraging and advising them that all would go well if they stood firm and orderly; and so the night passed off in quietness.

This meeting was understood to be wholly my own ten-hour affair. Neither the Democratic party nor the Free-Soil party made any public sanction of what I had done. The corporations were apparently as averse to having my speech published as the Coalition committee were to have notice of threats to turn off working-men known. On the next day the corporation organ came out with a statement repudiating this notice, and declaring that there was no such purpose on the part of the corporations.

To ascertain if the notice was fully and thoroughly repudiated, Mr. Linus Child, who was at the head of the Boot corporation, was waited upon by two members of the city committee, one of whom had been elected to the legislature at the first election. They asked Mr. Child what would be the action of the corporations regarding the men who should vote the ten-hour ticket, and they made oath that he answered them in the following language: "The men who vote the Coalition ten-hour ticket will not be employed by our company."

He further stated that this was the determination of all the corporations in the city. Not a word was said as to discharging anybody for voting. This interview was published broadcast and never denied.

One of the two committee-men referred to was apparently so well satisfied that the influence of the corporations would be potent to carry the election, that he resigned his candidacy for representative. Against my wishes, but in order to emphasize the fact that the issue was on the ten-hour law and must be fought out, I was nominated to fill his place. Of course I was not elected, all the "Hunker" Democrats cutting my name,—and there were about one hundred of them.

The ten-hour meeting which stood adjourned till the Saturday before election was held at City Hall on that day. As the threats to discharge men for voting as they chose had been wholly withdrawn by the managers of the corporations, and as the objectionable notice had been destroyed, ten-hour questions were there discussed only on their merits; and there was no interruption or disturbance.

The Whigs, however, held a meeting on Saturday evening in the train-house at the Merrimac Street station. As a large number of ten-hour men were Irishmen, one William S. Robinson, of Brooklyn, an Irish orator, was hired to address the working-men. He spoke from a platform car standing on the track. That meeting was slightly rebellious. His listeners gathered round the upper end of the car, and, leaning heavily upon it, moved it gently down the track, out of the depot and into the darkness. Although invited, I had declined to attend that meeting.

The election was held. Five Coalitionists and one Whig were elected; and the elections in the other towns of the State gave the Coalitionists a fair working majority in both House and Senate. We in Lowell, however, determined that the stamp of reprobation should be put upon the action of the mayor and aldermen in falsifying the returns, and giving certificates to those members apparently elected at the second election. So, upon the meeting of the legislature, when the representatives elected at the second election had taken their seats, we presented the claims to seats of our list of representatives elected at the first election, and their seats were given to them almost without opposition.

At the next session of the grand jury I had the action of the mayor and aldermen presented, and they were indicted. Upon the

trial, however, in the Court of Common Pleas, a Whig judge ruled that what they had done was not an indictable offence, and took the case from the jury.

In such a contest as I have described, the continuity of which I have not cared to break by giving unimportant incidents, it may well be believed that I did not escape unscathed although I came out uninjured. For weeks the opposition newspaper of Lowell said everything of me that could be devised by the vilest and most unprincipled editor who was ever allowed to besmirch with printer's ink the columns of what had been a clean newspaper. As to the contumely heaped upon me, I could give examples, which, if they were not quotations, would hardly be credited. To show the accusations made against me, as well as the character and importance of the contest, I give some extracts from the Lowell *Courier*. The first was published November 11, 1851, the morning after the first election: —

The entire vote of the city is a tremendous one, being 3,964 for Governor, there being only about fifty who were not at the polls. The Whig vote is increased one hundred and fifty over last year. The Free-Soil vote has fallen off and the Democratic has largely increased. This increase is attributable to the ten-hour ticket, and Boutwell may thank this and nothing else for his increased vote.

This shows that the result of the election depended on the ten-hour ticket. I purposely omit that which cannot be put here, if this book is to be read by decent people, but one specimen may do: —

[Lowell *Courier*, November 19, 1851.]

Errata: Yesterday the compositors made the *Courier* say, "By the use of gloves well scented with cologne, or some disinfectant, and a pair of tongues, it may become a duty to handle such a putrid carcass as that labelled B. F. Butler." Of course for "pair of tongues" read "pair of tongs."

The next extract will be instructive, as a report of my speech: —

[Lowell *Courier*, November 19, 1851.]

VOTERS OF LOWELL, REMEMBER

That B. F. Butler has publicly declared that his great object is to depreciate the stock of the corporations in this city; that to do this he is willing to see the city sunk in ruins, and when he has got them

depreciated he will find loco foco purchasers enough. Remember these words of the demagogue. He may possibly plead that he was drunk when he made the declaration, but these are the miscreant's words. Mark him.

Again, this was published on the morning of the day of the second election :—

[Lowell *Courier*, November 20, 1851.]

VOTERS OF LOWELL, REMEMBER

That the infamous arch demagogue, B. F. Butler, has publicly boasted that his object is to break down the corporations, to reduce the value of their stock to twenty-five or thirty cents on the dollar in order that by the depreciation the Democrats might buy it up, employ Democratic agents, and have good Democratic times. Let all who have at heart the welfare of the city and its working-men remember this at the polls.

Other publications I brought to the attention of the same grand jury that indicted the aldermen, and they found indictments against both the publisher and the editor. The publisher was tried before the same Whig judge and convicted, but when the editor came to be tried upon an article reading as follows :—

BEN BUTLER.

This notorious demagogue and political scoundrel, having swilled three or four extra glasses of liquor, spread himself at whole length in the City Hall last night. . . . The only wonder is that a character so foolish, so grovelling and obscene, can for a moment be admitted into decent society anywhere out of the pale of prostitutes and débauchés.

the judge charged the jury that the government was bound to prove beyond a doubt that the article was intended for Benjamin F. Butler. He said: "You must try it upon the evidence before you. It is not sufficient to read the article. If the name that is given to it corresponds, that is sufficient. The article is headed 'Ben Butler,' and this is the only proof I have heard that it applied to Benjamin F. Butler. If this is sufficient by its application to the complainant, the defendant must be found guilty. I am at a loss to see that there is any evidence upon this point to make it sufficient. There is nothing

except the article itself to prove to whom it applies. The burden is upon the government and you must not conjecture anything."

Of course the jury found, after considerable deliberation, a verdict of not guilty, on the ground that the article did not refer to me at all, when everybody in the courthouse knew that it did.

I believe I have one characteristic, and that is of paying my debts. I have fully done so, I think, in this case. This particular judge, while attorney-general under President Grant, got himself nominated to be Associate Justice of the Supreme Court, but I caused him to be rejected by the Senate; and when in 1876 he offered himself as a candidate for Congress against me, I published an open letter describing him so exactly, both morally and politically, that there could be no doubt of his identity (nor was the description libellous), and I beat him so that all the votes he got would be hardly sufficient for mile-stones in our district.

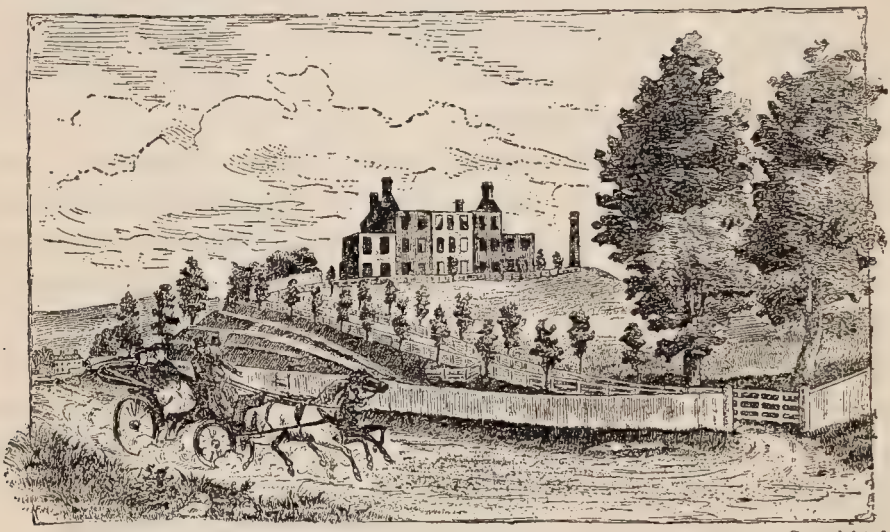
I am induced to put on record these villanous newspaper attacks upon me, in order to show, by example, to the young and ambitious men who may read this book, that undeserved newspaper abuse, however vile, will never ultimately harm a man who lives an honest, proper, and independent life.

Of course it was impossible to carry through the legislature a bill restricting labor to ten hours instead of fourteen. But great strides were made in favor of the proposition, and after unsuccessful efforts in several succeeding legislatures, a compromise was effected, and it was made the law that eleven and a quarter hours a day should be the limit of a day's work in the manufacturing establishments of Massachusetts; this law was vigorously enforced until a considerable time after the war, and the shortening of time was a very great relief to the toilers.

I had always insisted that as much work could be done in ten hours, even in attending machinery, as in eleven and a quarter. Afterwards, when I came to have a controlling interest in certain manufacturing establishments in Lowell, I put in effect a ten-hour rule, and never allowed a man, woman, or child to work more than ten hours except in time of pressure of business. At such time they were given pay for every extra hour they worked, and it was left wholly optional with them whether they should or should not work the extra hours.

In 1852 I was elected to the legislature. While there I endeavored to remedy a great wrong and outrage which had been done to a Catholic educational institution of the order of St. Ursula. This order was established in 1536, to give relief to the sick, and educate gratuitously female youth, and the merits of its work were so great that it escaped even in Europe the persecutions which there frequently visited monastic institutions.

Quite latterly the object of this mission was confined to the education of female youth, and its convents were established in America as seminaries of learning. In 1820 such an institution was founded in Boston, and six years later was removed to Mount Benedict, a twin



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RUINS OF URSULINE CONVENT, AT CHARLESTOWN, MASS.
From an Old-time Sketch.

hill with Bunker Hill in Charlestown. Mount Benedict was a beautiful eminence, with a varied and most delightful prospect reaching miles on every side, and it was surrounded by a community supposed to be as intelligent and orderly as any people.

The pupils of these Ursuline sisters came for the most part from the higher and wealthier Protestant families of the State. The academy flourished for several years, and at the time of its destruction its inmates numbered about ten nuns and forty-seven young lady pupils of tender years.

Among the illiterate and prejudiced adherents of some of the religious sects, there were circulated concerning the institution stories

so vile and absurd as not to be credited for a moment by any intelligent person. The pupils and their parents knew these stories to be utterly false and unfounded.

A young woman who had sought admission to the convent as a matter of charity, ran away, while passing through her novitiate, saying to her friends that the labors were too hard and the religious observances too exacting, and that therefore she had concluded to leave. At first she said nothing against any of the inmates of the establishment, and spoke only of their strict discipline as religious teachers. She was immediately surrounded by sympathizers, and, as the body of her listeners grew in numbers, her stories increased in denunciation of the institution. At last she was induced by some clergymen to publish a brochure, called "Six Months in a Convent."

The superior of the school unwisely permitted herself to reply to it. That evoked a rejoinder filled with the vilest and uncleanest of accusations. It purported to be written by the young woman, under the sobriquet of "Maria Monk." This pamphlet, for it was little more than that, had a large circulation among a certain class of people in that vicinity.

On the flats below Mount Benedict, and not far from it, there were extensive brickyards where large numbers of men, mainly from the State of New Hampshire, were employed during the summer, returning to their homes to spend the winter. Coming from a State where, from the earliest days, no Catholic was permitted to hold any office by its constitution, and whose traditions run back to the Catholic persecutions of the Irish Presbyterians in the north of Ireland, they were ready, through prejudice, to welcome this "Maria Monk" pamphlet, and take it home with them for winter reading. They came back to their employment at the brickyards in the spring, with their prejudices and passions inflamed against the convent, the supposed misdemeanors in which had formed the largest portion of the family winter-evening discussions.

The result was that, in August, 1834, combinations were formed among these men and their comrades to interfere with and harass the inmates of the school. The first open attack was made by setting dogs upon two of the female pupils who were walking in the grounds. This was reported to the authorities, but no redress was given. Divers outrages were perpetrated, and the selectmen of the town

were called upon to examine the school. They made the examination. They found nothing to report derogatory to its character, and so made no report.

Early in the evening of the 18th of August, 1834, these brickmakers assembled near the convent. They were joined by others of like class. Other men began to arrive in their carriages and stop and form a part of the crowd around the school grounds. Some came from quite a distance. It was well known in the vicinity that something was to happen to the convent on that night. The writer learned of it at Lowell, twenty-five miles away, and, in company with other young men, ascended Fort Hill, the highest eminence in Lowell, whence Mount Benedict could be easily seen with a glass, and whence the fire of the convent, between nine and ten o'clock that night, was very plainly visible.

A bonfire was built about nine o'clock in front of the grounds. Soon after, the rioters broke into the buildings and drove out the ladies, forcing them to take refuge in the tomb. Then, first setting fire to the bishop's lodge, they burned the whole establishment, not a drop of water from the fire department reaching the place. This was so quickly accomplished, and there was such lack of information in Boston as to what was to be done by the rioters, that no general alarm was called. On the following day, a meeting in Faneuil Hall, attended by the best people of Boston, denounced the outrages, and the utmost indignation was expressed at the horrible event. The firmness, moderation, and full control which Bishop Fenwick had of the Catholic citizens of Boston prevented retaliation, the consequences of which might have been awful.

The Catholic Church, which owned the property, permitted the blackened ruins to be left standing as they were, refusing all offers of purchase of the site; and it was first encroached upon under the right of eminent domain by taking part of it for a street. All in vain were the efforts of the officers of justice of the county of Mid dlesex to bring to justice the offenders who committed this monstrous arson. John R. Buzzell, a brickmaker, who led the riot, and who confessed that he had done so, was tried and acquitted. A boy of seventeen, Marvin Marcy, Jr., who had been drawn into the affair purely for love of mischief, was alone convicted, and he was set at liberty at the expiration of seven months. Arson in the night-

time was then punishable by death. No man doubts that there never was a more outrageous transaction, or one more disgraceful to a Massachusetts community, or one that caused a greater libel upon its justice.

At that time the laws of Massachusetts contained no provision which made the town or community pecuniarily responsible to the losers by such riotous acts. The owners of the school appealed to the legislature for redress, claiming that they were entitled to it because their loss was suffered by the supineness of the constituted authorities. The legislature, however, refused to pass any bill for the relief of the sufferers; but in 1839, five years afterwards, they did pass a bill by which such losses could be compensated in the future, being driven to the enactment by the justice of this claim. That act provided that when any town suffered such an outrage to be committed thereafter, it should be liable for three-quarters of the value of the property destroyed. But they forgot to pass a bill giving three-quarters of the value to the sufferers by the convent fire, and left the poor young lady pupils to pocket the loss of their wardrobes.

At the age of thirty-four I found myself for the first time a member of the House of Representatives of Massachusetts, with the memory of the sight of those flames still vivid. The thoughts that clustered around that memory were intensified by the feeling that great disgrace had attached to Massachusetts, because no reparation therefor had been made. The legislature was in the hands of a new party of young men, composed of the democracy and those whose sense of great injustice to the slaves had caused them to break away from the Whig party, which had controlled the legislature quite wholly since the burning was done. Animated with hope of justice at their hands, and without consultation with anybody, I caused the subject to be brought before the legislature, argued it before the committee, and had a bill for the relief of the injured parties reported. After full discussion it passed the House, on a Friday, as I remember, and went to the Senate for its action. I have never doubted that, if I had been fortunate enough to have had my bill pass on Tuesday, it would have been sustained by the Senate on Wednesday or Thursday. But virulent religious clamor was raised, and on Sunday a goodly number of clergymen — such as afterwards

so severely criticised my Fast-Day proclamation as governor — preached sectarian discourses against the bill of relief, and it failed in the Senate, never to my knowledge to be since revived. I think I am doing right in recalling these transactions, because it illustrates an unhappy condition of mind which has ever led me to be with the under dog in the fight when I thought he had been wronged; and therefore I have been so often unsuccessful in my action.

The Coalition party obtained ascendancy in the legislature elected in 1851, because in 1850 we had passed an act "For the Conduct of Elections," always known by the name of the "Secret Ballot Law." I bring it to attention now because I desire that if anybody reads this book who is interested in the question how an election can be best conducted, he will turn to the provisions of that law. All but one section of it remained on the statute book up to the time when Massachusetts was instructed in voting by the English penal convict colony, Australia. I think our citizens must have known all that people did about elections by ballot, for they have used it for more than three hundred years in their elections. Prior to that a kernel of corn meant yea, and a bean nay, so that we have a saying still in general use that applies to a man who doesn't exactly know his opponents, in the phrase, "He doesn't know [his] beans."

Our secret ballot of forty years ago was an economical, certain, accurate, and perfectly practicable system of voting, by which all frauds could be detected, and all undue influence upon the voters avoided. The system was this: — The State supplied for use of the voters envelopes capable of being readily sealed, of uniform size and texture, stamped with the State arms, and no ballot could be deposited by the voter except one enclosed in such sealed envelope. If more than one vote for the same officer, or no vote, was found therein, there was no vote to be counted; but the envelopes were kept as a tally with the check list. His ballot might be prepared by the voter anywhere, even in the family circle.

The elections of 1851 and 1852, upon the question of a ten-hour law, were carried by means of this ballot against the combined influence of all the corporations in the State. No accusation of fraud was ever made because of the use of it. The only objection ever stated against it was that the employer might take his workman to the polls, give him a sealed envelope containing his ballot, and see

that he put the envelope in the box. That was undertaken in Lowell, but the attempt thus to control his vote was as easily met by the voter. He brought his envelope with him and changed envelopes, voting the one he had brought and keeping the one that had been given him. On the night of election day many workingmen brought into the committee rooms of their party the envelopes which had been given them by their overseers, and described the manner in which they had eluded the men who attempted to control them.

If the law in its entirety had stood one year longer, a single provision that no one should be in sight of the voter when he deposited his envelope would have removed all possible objection; and such a provision would have been made. But the Whig party got control of the legislature in 1854, and, not daring to attempt directly to repeal the secret ballot, passed a provision making it "optional" with the voter to vote the secret ballot. Then the employer knew that if his laborer voted a secret ballot he desired to conceal his vote; so that voting a secret ballot told, in closely contested elections, for which party the elector voted. The optional provision, therefore, entirely defeated the objects of the law, and such voting fell into disuse.

We have now adopted the Australian system, which is by no means so simple or so effective, and which will cause the State to expend very many thousands of dollars at each election to carry it out. I am opposed to that system by which a man who is not instructed as to the names of the officers to be voted for upon his ballot, can be easily deluded into voting for those whom he desires not to vote for. I am opposed to that system in which a man refuses to mark his ballot through disgust with the performance of finding out candidates for his vote that have not even, so far as he knows, the endorsement of his party. While I write this a gentleman sitting near says: "If he can read the words 'Democratic' and 'Republican' he can find out, can he not?" To which I answer that he can find out that those two words are there; but who put them there, or whether they are there honestly, or whether they represent the sentiments of the candidate, the voter has no means of determining.

Early in the session of 1851 Robert Rantoul, Jr., than whom the State never boasted a more eloquent or logical man as a political

debater, was elected to the short term in the U. S. Senate, in the place of the Hon. Robert C. Winthrop, who had been appointed by the governor to succeed Webster in the Senate. Winthrop was the candidate of the opposition to Charles Sumner, who was loyally supported by the Coalition Democrats, or those who were elected on that ticket, with the exception of two or three. From the first, Sumner received within a very few votes of a majority, though bitterly opposed by the Hunker Democrats and all the Whigs, sixteen persons receiving scattering votes. The voting went on until April of that year, when Sumner lacked only two votes of an election. But the count disclosed that there had been two more votes cast than there were members present.

Early in the session a bill for voting by sealed envelopes at State elections was introduced, and was pressed before the legislature against the united vote of the Whig and Hunker parties. In this condition of things Mr. Sidney Bartlett, the Whig leader,—who until the day of his death at ninety years of age was one of the foremost lawyers of Massachusetts, if not the foremost one,—made what he deemed to be a very cunning proposition, but which, contrary to his expectations, turned out to be a very decisive one. He believed that the scattering votes were all against Sumner, and that his vote was held to him by the party discipline of the Coalition combination. This was Mr. Bartlett's proposition, viz: As the Coalition members are desirous of having all voting done by secret ballot, would they try it in the election of senator?

This, of course, was illogical, and, in fact, unconstitutional. The people have a right to vote in secret; the representatives of the people have no right to vote in secret, and votes in all legislative matters, except the election of a senator, could, if demanded, be by *viva voce*. The United States Constitution and the constitutions of all the States have made provisions that the manner in which the representatives shall vote must be open, and have provided that it shall be made so by the call of the yeas and nays upon the demand of a meagre minority. The people are entitled to know how their representatives vote, and nobody ought to know how one of the people votes, for they are the supreme power, and are accountable to nobody.

I happened to be on the floor of the House, and standing beside the chairman of the State Committee of the Free-Soil party, who, I saw,

was in momentary doubt upon the question. I said: "Give Bartlett the secret ballot, and you will vindicate it sufficiently and whip him besides." He immediately arose and said that those with whom he acted agreed cordially with the proposition of the representative from Boston; so Bartlett's motion passed by a large majority. Upon the next call the sealed envelopes were handed in, and their number was found to correspond exactly with the clerk's tally of the names of members called, showing that neither mistake nor fraud could happen with the secret ballot. But, when the ballots were counted, Sumner was declared elected by one majority. And thus the promise of the "long eel" to the Free-Soiler was confirmed, by a political arrangement more fairly and justly carried out than any other with which I have ever been acquainted.

The fact was, the Hunker Democrats were controlled in their votes by the fear of losing their standing in the Democratic party, which we all believed would, by voting for a Free-Soiler, control the coming presidential election in the autumn of 1852.

They had no doubt of that, because the candidate we all looked for was Judge Levi Woodbury, the friend and twice appointed cabinet officer of Jackson, and the able and upright Justice of the Supreme Court of the United States. In this, however, we were unhappily disappointed by his too early death in the following October.

His selection as a Democratic candidate for the presidency in 1848 was undoubtedly prevented by the unhappy controversies in the State of New York, which were carried into the national convention, of which I was a member, and which resulted in the withdrawal of the friends of Mr. Van Buren and the Free-Soil rupture in the party, with Van Buren for a candidate at the election.

Notwithstanding the defeat of the Coalitionists in the election of 1852, the proposition to have a constitutional convention in Massachusetts, which had failed in 1851 by a majority of five thousand votes, was renewed by the legislature of 1852, and was carried by a majority of nearly the same number. The majority rule had caused many double elections for representatives to be held every year, prolonging the election contests substantially for thirty days. A change seemed imperative, and all parties appeared to recognize the necessity for it. The House of Representatives was very large and would bear considerable reduction; and it was thought to be better

to elect senators by single districts, instead of by counties, which would give the people a more equal representation. By the provisions of the call of that convention, which was adopted by the vote of the people, every town was to have at least one delegate, and that delegate might be selected from any part of the State by the voters of any town. The consequence was that there was an attempt to select the ablest men by both parties, without regard to location or residence; and many able men, who, on account of the political views of their neighbors, could not be elected by their home towns, were elected sometimes from the town of their birth, and sometimes from the town of their choice, and sometimes from the town itself requesting them to act. I think Governor Boutwell was elected by the town of Berlin, a little town on the edge of Worcester County, and not by Groton, the town where he resided. Mr. Benjamin F. Hallett, a very distinguished Hunker Democrat living in Boston, who had not the slightest hope of being elected in that city, was elected from the town of Wilbraham, and thus with many others; so that it may be fairly said that the ablest men of the State formed that convention. There were four hundred and twenty-one members of the convention. For myself, I had so far outlived newspaper libels and attacks, which by propriety of life and conduct one can always easily do, that I was elected from my home in Lowell, and served as chairman of the committee to which was assigned the revision of chapter six of the old constitution.

The debates in that body, as a rule, were distinguished by fairness, courtesy, and argument. Scarcely a distasteful personal allusion was made. It performed its work with great diligence, but, having voted to have its proceedings, including the speeches, reported verbatim, the session was too long protracted, because, under such conditions, everybody wants to say something which shall be read by somebody.

It is a singular fact in the history of all legislative assemblies that not much is actually done where the proceedings are officially reported. In the United States Senate there is more business done in the few days of secret or executive session, where no speeches are reported, than is done during the whole session in open Senate where the proceedings and speeches are published day by day, with very little profit to anybody. Indeed, for several years no report whatever was made of the proceedings of the Senate, which was deemed

in those days to be an executive rather than a legislative body, and all its sessions were held with closed doors.

I have said that all legislative assemblies that ever did anything worth being done were not officially reported. The National Assembly of the French Republic and the Cromwellian Parliament of England, when the heads of their kings were cut off, were substantially secret sessions,—that is, their proceedings were not reported. Indeed, the celebrated declaration of Deputy Sieyes when he cast his vote, "*La mort sans phrase*" (Death without talk), is about all the speech-making that is remembered on that occasion of taking a royal life by a vengeful people. Something was done by such an assembly.

The convention that framed the Constitution of the United States had no official reporters, and the details of what was done there in the matter of speeches are only from the memoranda and recollections of some of the more industrious and painstaking members. Elliott's Debates is rather the memory of what was said than anything like a report. And so the Congress or convention that declared the independence of the United States in 1776 had no reporter; and all agree that something was done there.

The Massachusetts Constitution, as submitted to the suffrages of the people, contained all that was valuable in the old Constitution, with many needful additional provisions and amendments. These additions deserved to meet the approbation of the people of the State, and they did within the next three years. But this Constitution failed to be adopted at the general election in November, 1853, by the very insignificant adverse majority of less than four thousand votes. This majority was wholly composed of the Catholic vote in Boston alone, as the rest of the State voted for the Constitution in spite of the Catholic vote in its cities and towns.

It may not be uninteresting to preserve as a matter of history the reason for the failure of this proposed Constitution. Of course it was supported by the party of the Coalition, the Democracy and Free-Soil men, and was bitterly opposed by the Whigs and Hunkers, the Mugwumps of that day. The Democratic party of Massachusetts then embraced as now a large portion of the Catholics of the State. During the session of the convention an article was introduced, which is now Article 18 of the "Amendments," in which

was contained the following provision: "And such money [i. e., money raised by taxation] shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school."

After a prolonged debate in the convention, that article was made a portion of the proposed Constitution substantially by the vote of the Whigs, aided by some Coalition voters who styled themselves "Native Americans."

This provision was understood to be aimed at the Roman Catholic schools and intended to deprive that Church of the possibility, in the near future, of having any of the school money of the State appropriated either by endowment or otherwise to the schools wherein the Roman Catholic faith should be taught to the pupils. With the unwisdom that has not unfrequently appeared in the proceedings of the Romish priesthood, and with a want of foresight that proved disastrous to their school system, under the lead of the Bishop of Boston everything was done to prevent the Catholics from voting for the adoption of the Constitution, and their votes caused its rejection at the polls.

Thus were sacrificed all the provisions for the benefit of the common people which the party of Free-Soil and Democracy had engrafted upon the Constitution and hoped to have made permanent, and all because of an inconsiderate and unwise act of one religious sect in arraying itself against all others in an endeavor to make the common school education a religious education. This article of the proposed Constitution applied to all religious sects, and under it no peculiar doctrine could ever be taught in the common schools.

This performance, which struck down the Constitution, invoked a bitterness among the people against the Catholic religion, such as had never before been, to any considerable degree, either felt or foreshadowed in the State of Massachusetts. It caused for a time a substantial obliteration of all parties save the "Native American" party, familiarly called the Know-Nothing party, which came into power in January, 1855.

This bigoted and most unscrupulous party, held together in secret organization through secret oaths, had grown up during the preceding year, like a mushroom in the night, and elected Henry J. Gardner, a young Boston banker, by a majority such as had never before been heard of. This movement broke down the Whig party,

and substantially absorbed the other two parties. Gardner maintained his hold upon the State for three years, and in the very first year, 1855, this 18th Article was approved by the legislature, and it was ratified by the people on the 23d day of May of that year. Article 20 of the Constitution was another blow to the power of the Catholic Church and the Irishmen. It provided that "No person shall have the right to vote, or be eligible to office, who shall not be able to read the Constitution in the English language, and write his name." This article was adopted on the recommendation of the same legislature, May 1, 1859.

This provision has been opposed by the Democratic party in the State ever since, and is one to which the writer has ever been opposed. It is not levelled against ignorance wholly, because it shuts out from voting or holding office the most learned professor of a foreign university, if it so happen that he cannot read the Constitution in the English language. But I do not hold, and never shall believe, that the matter of reading and writing should determine the capacity of a man to govern himself. Most of the barons of England could not write their names, yet they wrested from King John that palladium of the freedom of the people, Magna Charta, and established the rights of the people against royal prerogative.

An examination of the pay-rolls of that revolution which established the liberty of this country will show that much the larger number of the soldiers were such as could not have voted under the strict application of this rule of the Constitution of Massachusetts. While they could not write their names, they made their marks at least, upon the bodies of the Hessian soldiers of Great Britain, who were bought to maintain kingly power here. Such a provision is an invasion of liberty and the rights of men, and to-day is depriving substantially all the laboring men of the South of that true citizenship which the soldiers of Massachusetts, many of whom could not read and write, fought to give them,—namely, equality of rights that belonged to the man because he was a man.

These several "Native American" legislatures, which were very largely composed of the lower class of sectarian preachers, were found to be among the most corrupt legislatures that had ever convened in Massachusetts. They employed their time in seeing how they could, by legislation, strike down the Catholic religion and the Catholic

clergy of Massachusetts. They passed the most vindictive laws for the purpose of taking away the property of a Catholic Church from those who held it by law and right, and would have succeeded in so doing had it not been that they were, in fact, what their name implied, "Know-Nothings."

I thank God, and that always, that upon my political escutcheon there is no tarnish of its brightness, in the form of adherence to any doctrine which would deprive of his equal rights with others a man of foreign birth, who comes to this country in accordance with the law of nations, and takes part in its government under its laws. I respected my great-grandfathers too much for that.

I fought Know-Nothingism "from start to finish." Nor can there be found upon my escutcheon the taint of any action against the equality of right and the equality of power of all men to govern themselves so long as they obey the laws of the country which gives them protection and hope of prosperity for themselves and their children. I have ever contemned any machinery of government, however cunningly devised, and however speciously concealed, by which the few shall govern the many under whatever pretence of superiority in anything, especially in color.

If this nation of ours ever comes to naught, it will be because the few, under one pretext or another, holding the power, have oppressed the many. The history of the world may be examined with a vision aided by the highest microscopic power, and it will appear that the few have ever oppressed the many when they could get the power to do it; but the many have never oppressed the few, although they always have had it in their power so to do.

I know that this declaration will be met, as it has been, with the statement: "But what do you say of the French Revolution when the people massacred the aristocracy?" My answer is: That illustrates my proposition. Long years of oppression, growing more exacting and brutal day by day, until the conditions of life became insufferable in France, had crazed the people. They uprose to change their government from a kingly aristocratic despotism to a constitutional government of the people. At first they went no further. They stopped there, as did our Puritan ancestry in England when they cut off the head of the first Charles. But the kings and lords of all the countries of Europe supported the aristocracy of France in

its bloody attacks and conspiracies to overthrow the government of the people, and the people did rightly in rendering powerless, aye, in killing the oppressors and their allies, who were endeavoring to recover power to oppress them. Those acts of the people during the French Revolution which are so much complained of were made necessary by the efforts of the crowned heads of Europe to restore despotism to its powers and possessions in France, and they were acts well adapted to make that restoration impossible. If it is urged that the people went too far in that direction, I remember what outrages they and their fathers had suffered for generations; and while I may grieve over the results, I have the strongest possible inclination to pardon their acts.

In my political action thenceforward, I maintained my allegiance to the Democratic party. I attended as a delegate every national convention from 1848 to 1860 inclusive. I was frequently candidate for Congress in my district, but never with the slightest prospect of success, the votes on all questions being more than three to one against the Democracy.

In 1858 I was elected to the Senate of Massachusetts by the citizens of Lowell. I was the only Democrat on the ticket. In that legislature I drew the bill reforming the Judiciary of the State, so far as it could constitutionally be done, the Supreme Judicial Court being placed out of reach of reform by the provisions of the Constitution. The Court of Common Pleas, substantially the trial court of the people's causes, was abolished, and a new Court established upon a basis on which it remains to-day. Most of the provisions of that bill are still the law of the State.

During all these years, from 1840 to 1860, I was receiving instruction in another science. This instruction had a most important bearing upon my after life, and became of very considerable importance to the country. In 1839, the autumn before I was admitted to the bar, I had joined as a volunteer soldier in organizing a new company in the Massachusetts disciplined soldiery, called the "Lowell City Guard." I carried my musket in that company for three years. I encamped with the company, either in conjunction with the regiment to which it belonged, or in our private encampments, from five to nine days every year. I did this to learn the duties of a soldier, for I believed then that in the course of my life I should be called upon sometime to perform those duties as a soldier in actual war.

While my military duties were a favorite source of instruction, they took a considerable portion of that time which was my resource for recreation. But I took substantially no other. I never went to a horse race, although I was exceedingly fond of horses; I never went to Saratoga or Newport until after the late war; and I never spent three consecutive days in any year at any summer resort. I did take, however, a few short trips on board small vessels at sea.

I learned the "school of the soldier," soon was promoted to be an officer of the lower grade, and then steadily went up, never attempting to pass a grade without fully filling the position in due order of promotion, until having served in every lower grade, I was elected colonel of the regiment to which I had belonged since 1840.

Our citizen soldiery, known by the name of the "Massachusetts Volunteer Militia," were organized and armed by the State and in part supported by it. Sometimes in companies, and sometimes in regiments or larger bodies, the soldiers were called together for encampment five days each year. We were allowed, within certain rules, to uniform ourselves as we pleased. All else but our rations was furnished by the State. We were armed with arms issued by the United States, and in all things we observed, as far as we could, the tactics and regulations of the army of the United States.

Most of us were men quite young, who entered the service for the love of military learning. There was enthusiastic rivalry and emulation between the several organizations, as well as between the several soldiers that composed the companies. I have seen a company of Massachusetts volunteers, before the war, perform all the duties of the school of the soldier, and of the school of the battalion, as well as I have ever seen them done by any body of men outside of West Point.

Of course we were not as good as regulars in the opinion of the United States officers; that was impossible. Their military movements were mechanical; ours were voluntary. We went through our drill because we loved to do it; they went through theirs because they were made to do it. Every right-minded officer since the war appreciates the difference.

When the Know-Nothing Governor Gardner took his seat in 1855, there was a company in my regiment known as the "Jackson Musketeers." It was composed of young men either born of Irish parents

or Irishmen themselves, and all its members were citizens, Democrats and Catholics. They did their very best to make themselves equal to the other companies, and they succeeded, precisely as in Boston now the Ninth Regiment, composed of Irishmen, is quite equal, in all that makes a soldier, to any other regiment.

Of course when the Know-Nothing "Native American" frenzy swept over the State, there was a call for the disbandment of that company, and an incident happened which called special attention to myself.

The bitterness of political opinion that resulted in Know-Nothingism raised strong antipathies among the unthinking and unruly elements of the city. At one time it was rumored that a riotous mob would attack and burn our very fine costly Catholic Church, as was done by a riotous Know-Nothing mob in Philadelphia. The city authorities were alarmed, and they called upon me to know, as colonel commanding, whether the military would be found stanch on the side of law and order. I had but one reply to make,—that the soldiery would obey my orders. The next question came: "But how about your Irish company?" I said I did not look for any trouble on that score. Meanwhile it was reported that the military might be called out, and this report caused the Know-Nothings to say that in that case they would know which company to stone. To make sure that the soldiers were all right, I called together four companies, instructed them that we might possibly be called upon to preserve the peace, and showed them how our organization might be made most effective.

Then I formed all the soldiers of the four companies into one line, giving the familiar order "size march," upon which every man put himself in the rear of the man that was next above his height. When that line was made, intermingling the men according to their several statures, I divided the battalion into four equal companies, each averaging one Irishman to three Americans. I thought it would be difficult for a mob, in the night-time, to distinguish uniformed Irishmen so as to make targets of them; or, if we had to attack the Irish element, it would be equally difficult for them to distinguish the Yankees. That proposed formation of the troops was noised abroad, and our city was not disgraced by a mob or a riot.

Governor Gardner had scarcely got warm in his chair when I received his order disbanding the "Jackson Musketeers," which I

was ordered to transmit and cause to be executed. I did not obey the order, but addressed a polite but specific letter to the Commander-in-Chief, stating that his action was not in conformity with the law of the State. I declared that the governor had no lawful power to take such action upon any such ground, and that I must refuse to execute such command.

As I supposed would be the case, I received an order dismissing me from the service as colonel.

My reply was that the governor could not dismiss me without the finding by a court martial that I was guilty of a military offence, and my disobedience of an illegal order, in time of peace, would not be such an offence. I stated that I was ready to try that question, if he would order a court martial. He dared not do it.

I immediately prepared papers to have him restrained from his illegal course. To carry his point, by the advice of his council, some of whom were members of the bar, he claimed that he had the power to reorganize the militia. This was by law organized in certain territorial districts, that is to say, each regiment was to be within a given territory, and the officers were to be residents in their proper districts.

Gardner issued an order to reorganize the militia, disbanding all the regiments and renumbering them differently. In this way matters were fixed so that my residence came in the territory of the Sixth Regiment, a regiment of which I was not colonel, and the Fifth Regiment was put somewhere else where I could not be colonel.

Because of this trick, there was nothing to be done but to submit to the injustice. I said nothing, but waited for a vacancy in the office of brigadier-general of the brigade of which I had been one of the colonels. Under our constitution the field officers of the brigade elected their brigadier, and if there was no objection, they usually elected the senior colonel. My fellow-officers were kind enough to treat me as if I had not been turned out, and elected me brigadier-general. I had the pleasure of receiving from Governor Gardner a commission as brigadier-general, signed by himself as chief executive of the Commonwealth. He could not withhold his signature, for if he did, he and his attorney-general very well knew that proceedings for a mandamus would be after him with celerity and vigor, if nothing more.

Meantime this contest had made some stir, and President Pierce sent the new brigadier-general an appointment as visitor at West Point, authorizing me to examine that institution. Thus I had the good fortune to have two military appointments, one signed by the Know-Nothing Governor Gardner, and the other one signed by the Secretary of War, Jefferson Davis. When at West Point, I was introduced to General Scott, who took me cordially by the hand, and said, "I am very glad that the oldest general in the United States has the pleasure of receiving the youngest general in the United States."

I encamped with my brigade four years, in 1857, 1858, 1859, and 1860, so that in fact I had commanded a larger body of troops, duly uniformed and equipped, than any general of the United States army then living except General Scott. In 1860 Governor Banks called together at Concord the whole volunteer militia of Massachusetts, amounting to nearly six thousand men. I encamped five days with them, so that I had seen together, for discipline, instruction, and military movement, a larger body of troops than even General Scott had seen together, for he never had so many in one body in Mexico.

I have a reason for being thus particular in giving my experience in military matters. After I had "won my spurs" at Annapolis and Baltimore, I was, on the 16th of May, 1861, appointed to the actual command of troops in the field. The appointment was criticised by a lieutenant of topographical engineers, who afterwards became a general in the army, but who, at that time, had never commanded a corporal's guard but only took pictures of the country. He said I had no military experience, never having been to West Point. He forgot that putting an animal into a stable does not make him a horse; that point being better determined by the length of his ears.



## CHAPTER III.

## THE DEMOCRACY IN 1860.

THE matters treated of in this chapter may seem a twice-told tale to readers who lived when they were taking place. But it is owed to the younger generation that the causes and events which led to the War of the Rebellion should be stated here. They can be given in a single phrase,— *perpetuation of slavery*. But why and how this led to rebellion will need to be elucidated in order to show what caused me, a prominent Democrat, to be among the very first to go to the front.

The institution of slavery was imposed upon the United States by the mother country ; but it had, for economic reasons, substantially ceased in the northern part of the colonies at the close of the Revolution, except so far as domestic servitude was concerned. Yet the right to hold negro slaves was fully recognized and provided for by the Constitution of the United States in several ways, but more especially by the provisions of Article 4, Section 2 : —

> No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

That provision imposed upon every State the duty of returning fugitive slaves.

Slavery was further recognized in the Constitution by the provisions of Article 1, Section 2 : —

> Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the

whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

Without these recognitions of the institution of slavery, as established by the laws of the various States, the Constitution could not have been adopted.

These provisions convinced me as a lawyer that the right of the people of any State to hold slaves, where the institution was established by law, was clearly a Constitutional right, and that nothing could be done by any State to interfere with that right in any other State without a violation of the Constitution; and, of course, anything done to take away that class of property by State or nation, from the owner, was in violation of the Constitution.

Slavery was repugnant to the moral feelings of a great many citizens. This was manifested by a law of Congress forbidding the slave trade,—not domestic trade, but the importation of slaves into the United States. The law was passed under the terms of Article 1, Section 9, of the Constitution, by which it was provided that Congress might, after 1808, prohibit immigration and the importation of slaves into the country. A prohibitory law was passed by Congress in 1818, but it was to a very great degree evaded or violated in most of the cotton States for many years, without any proceedings being instituted for such violations.

The repugnance of many good citizens to the institution was shown in all the States by wills made to free slaves, or by manumission during their lives. Washington, John Randolph, of Roanoke, Virginia, and John G. Palfrey, of Louisiana, are notable examples of the surrender of large property in slaves under the impulse of such sentiments. There were also colonization societies formed for the purpose of exporting the negroes to Africa; and the colony of Liberia was established to receive them. Of course colonization did not weaken the institution, for in every slave State more slaves were born in a week than the colonization societies could have exported to Africa in a year even if they could have got them for nothing.

Slavery had been forbidden in the northwest territory by what was known as the "Dane Ordinance." Then it was foreseen that the lower branch of Congress would very soon have representatives in

such majority, as to do anything against slavery not inhibited by the Constitution if the representatives from the North should unite. Hence the slave States, in order to preserve the balance of power in the Senate, entered into the far-famed Missouri compromise, by which Maine, as a free State, was to be taken from Massachusetts, and Missouri, as a slave State, from the Louisiana purchase, and both were to be admitted into the Union at the same time.

Slavery was abolished in the Southwestern American colonies of Great Britain by an Act of Parliament passed in 1833. This act emancipated all slaves from the first day of August, 1834, and appropriated the sum of twenty million pounds sterling to compensate the owners for their loss of services. But it held the emancipated person as an apprentice for six years, bound to give forty-five hours each week to the service of his master. About this time an anti-slavery agitation was begun in this country, originating substantially in New England, and led by William Lloyd Garrison of Massachusetts. It spread rapidly over the whole country North and West, many journals being founded for its advocacy. This agitation looked to no compensation to the master, but held that slavery was wholly unconstitutional; and that if the Constitution did recognize and protect it, then the Constitution was a "covenant with hell and a league with death."

In several States, notably in Massachusetts, societies were organized for the purpose of inducing and aiding slaves to flee to the North and thence into Canada, from which they could not be extradited. State legislation was attempted by which the Fugitive Slave Law, then existing, was to be rendered nugatory and useless. Retaliatory measures were introduced at the South. The time of Congress was largely spent in discussing and legislating on matters connected with the slavery question.

The balance of power after the adoption of the Missouri compromise in 1820 — that is, as many free States as slave States coming into the Union — gave an equal number of senators upon the slave question. Maine, free, carved out of Massachusetts, was admitted March 3, 1820, and was offset by Missouri, slave, March 2, 1821; Arkansas, slave, June 15, 1836, by Michigan, free, Jan. 26, 1837; Florida, slave, March 3, 1845, by Iowa, free, March 3, 1845; Texas, slave, annexed as a State March 1, 1845, by Wisconsin, free, March 3,

1847. The annexation of Texas brought on the Mexican War, on a question of boundary between Texas and Mexico. This war resulted in the admission of California as a free State, which was carved out of Mexican territory acquired by the treaty of Guadaloupe Hidalgo. The balance thus established in the Senate and in the House as against slavery, it was patent, must remain forever.

This condition of things in Congress was the controlling cause of secession.

In 1848 the Free-Soilers, as the abolition party named themselves, made a considerable show of power by the nomination of Martin Van Buren for President of the United States, upon a Free-Soil platform, which prohibited thereafterwards the admission of any State which had established the institution of slavery by its constitution. The party had strength enough to defeat Cass, the Democratic candidate for President, and thus elected Taylor, the Whig candidate, a Southern slaveholder. The Abolitionists had put up a candidate for President at previous elections, but their vote was so small that it was never a factor in the political result.

Taylor lived but fifteen months after his inauguration in 1849, and Vice-President Millard Fillmore became President. Under the Missouri compromise act, it was provided that other States coming in thereafterwards might be admitted as free States if such was the wish of the people forming the new States. Near the close of Fillmore's administration a new compromise measure was passed, which included the fugitive slave act. The original law, passed in the early days of the republic, was to be executed through the medium of State officers, but the execution of this new fugitive slave law was put wholly into the hands of the courts and officers of the United States. The principle of this act, so it is stated, was that of non-intervention by Congress with slavery in the States and Territories. Congress declined either to legislate slavery into any Territory or State or to exclude it therefrom, but left the people thereof perfectly free to form or regulate their domestic institutions in their own way, subject only to the Constitution of the United States.

This act was carried through largely by the influence and eloquence of Daniel Webster, of Massachusetts, but it was his political death knell. As we have already seen, he was succeeded in the United States Senate by Charles Sumner, a declared Free-Soiler. The

passage of the act caused very great and universal excitement and political agitation.

In the presidential election of 1852, when Pierce and Scott were the candidates, both political parties substantially united on a platform in regard to slavery. That platform, like most platforms, was an evasion of the point actually at issue. At the election, Pierce was chosen by the vote of all but five States.

Meanwhile a fruitful subject of turmoil, anxiety, and political agitation had formulated itself in the question of the admission of the Territory of Kansas. That agitation first took form in settling that Territory. It lay on the westerly side of the slave State of Missouri and its southern boundary was the Indian Territory, where slavery was practically established among the Indians. Most of the early settlers of the eastern portion had come from Missouri and brought the institution of slavery with them. Thus Kansas seemed at first, to have the elements for the formation of a slave State. Great exertions were made on the part of the Free-Soilers to settle Kansas from the East, so that the majority of the inhabitants should be opposed to slavery. The Emigrant Aid Society, a very strong organization duly incorporated in the State of Massachusetts, sent into that Territory great numbers of emigrants; and they went also, although more spontaneously, from other free States. The southern slaveholders likewise made exertions to have those of their people who desired to emigrate, go to Kansas and aid in making it a slave State.

The emigrants on both sides went there armed. When attempts were made to hold elections, armed bands went from Missouri to control those elections. A convention was held to provide an organic law for the State, and it resulted in a constitution providing for slavery, known as the Lecompton Constitution. This was considered by the people of the United States rather the expression of the will of the armed intruders of Missouri into Kansas, than the voice of her own people. Meanwhile the "free settlers" of Kansas elected delegates to a convention which provided that Kansas should be a free State, and that slavery should be prohibited in its organic law, and then set up a State government for Kansas before its admission as a State by Congress.

There have been several States admitted under such proceedings, but none where the struggles upon great and vital questions were so

fierce as in this. President Pierce sent a body of troops into Kansas, and by force of arms dispersed the "free settlers'" government. This exercise of executive power was very repugnant to the majority of the free States, and so great was the opposition raised by it that his administration was only enabled to keep itself alive in passing the necessary appropriations for its existence, by a majority of three votes.

Meanwhile came on the election of 1856, and Fremont was put in nomination by the Republican party, under which name were arrayed all who were dissatisfied with the administration on the slavery question. The Democrats nominated James Buchanan, and he was elected by a very meagre majority, if at all, for I have always believed that he owed his election to a fraudulent return or count in the State of Pennsylvania.



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JOHN BROWN'S FORT.

On the slavery question the administration of Buchanan did literally nothing except to endeavor to keep the peace among the several factions, without much success. At the same time the Southern States were holding conventions, passing resolutions, and declaring for the right of secession. In many of the States the proposition of secession was defeated only upon the ground that the time had not come for it.

The next important event was the incursion of John Brown, known as Pottowattomie Brown, of Kansas, into the State of Virginia with his sixteen men, with intent to raise an insurrection of the negroes, and thus overthrow slavery. He took possession of Harper's Ferry and captured nineteen persons, principal men of the town, whom he took with him into the engine house of the United States Arsenal, as prisoners.

The State of Virginia did not prove itself able to dispossess him, but two companies of United States Marines, consisting of fifty men each, were very anomalously put under the command of Lieut.-Col. Robert E. Lee, of the United States Army, and sent to Harper's Ferry by the President to capture Brown and his handful of men who were making

war on Virginia. The selection of Colonel Lee to command this expedition seems to have been because of his soundness on the slavery question. He went to Harper's Ferry and succeeded in capturing Brown and his sixteen men, and in releasing the prisoners. This military feat seems to have been the first great victory of Gen. Robert E. Lee. It certainly was a complete one.

This performance was criticised by the strict constructionists of such provisions of the Constitution as declared against the interference of the United States in such matters by the use of troops, except in case of war or invasion by a foreign power. But greater events soon overshadowed criticisms on constitutional law.

The Democratic National Convention of 1860 was held at Charleston, South Carolina. To this convention I was a delegate, as I had been to every national Democratic convention since 1844. It was presided over by Gen. Caleb Cushing, of Massachusetts.

Having become satisfied that there was danger of an attempt to sever the Union of the States upon the slavery question, I sedulously devoted myself to an endeavor to keep the peace, and keep the Democratic party together, because I looked to that as the only source of safety to the Union. Upon the slavery question Mr. Douglas was the leader of that part of the convention which advocated the principle known as "squatter sovereignty," that is, the right of a people who settle in any part of the territory of the United States, to organize themselves under such laws precisely as they choose to enact, and then to be admitted into the Union without being subjected by Congress to any conditions or any provision as to freedom or slavery in their statehood.

This doctrine seemed to me to be fraught with very great dangers. I did not believe that another slave State could be admitted into the Union by any Congress that could be elected, even if the squatters settling that State should so desire. I did believe that the control by Congress of this power of admission was necessary to the perpetuity of the government. The whole South substantially agreed in opinion that the passage of a resolution acknowledging such control would be followed by instant secession by one or more States. The Southern States had already said that one or two States ought not to secede unless they were sure of being supported by other States.

Out of the thirty-three members of the Committee on Resolutions, of which I was one, there were sixteen in favor of the Douglas platform as the one on which the Democratic party should stand at the coming election. The other sixteen were in favor of a very carefully worded resolution, which seemed to me equally objectionable, because it left the question of slavery as a State institution, to be decided by the Supreme Court.

I for one was unwilling to trust that question to the Supreme Court because I thought I knew the opinions of the majority of the judges of that court; and if one should die no man could be put in his place and be confirmed by the Senate who would not stand by what were called the compromises of the Constitution in favor of slavery. I thought then as I think now, that it was destructive of all proper consideration and respect for the Supreme Court to put before it the decision of political questions. I had seen a warning example of that in the effect of the "Dred Scott" decision upon the respect and consideration which should be due to the Supreme Court and its opinions in matters of law, as the supreme law at last. That decision satisfied neither party, and was derided by one and trampled upon by the other.

Therefore I introduced a resolution which was the exact platform of the National Democratic Convention held at Cincinnati in 1856, under which that party had carried the election. The committee was in session three days, and the result of its deliberations was three reports. The first was the Douglas report; the second was what was afterwards known as the anti-Douglas report; and the third, which was mine, was known as the "Cincinnati platform pure and simple," because I had inadvertently used that phrase in the committee. I had learned that the Southern delegates did not particularly desire the anti-Douglas resolution, but that they were especially afraid of the nomination and election of Douglas. They declared that they could not and would not trust him. It is needless here to state the reasons, or whether they were well founded or not, but only that from personal observation I learned the fact.

Mr. Douglas was my personal friend. The district which had sent me to the convention was undoubtedly in his favor. Calling on Judge Douglas on my way through Washington, I told him in a full and frank conversation that I did not think he could be nominated,

or, if nominated, elected. He turned to me and said,—"Well, you will vote for me?"

"Yes, because I shall vote according to what I believe to be the views of my constituents. How many times do you want me to vote for you before I may change my vote?"

"Oh," said he, "three times will be enough."

"Well, Judge," I said, laughing, "I will do better than that; I will vote for you five times, and then feel at liberty to change."

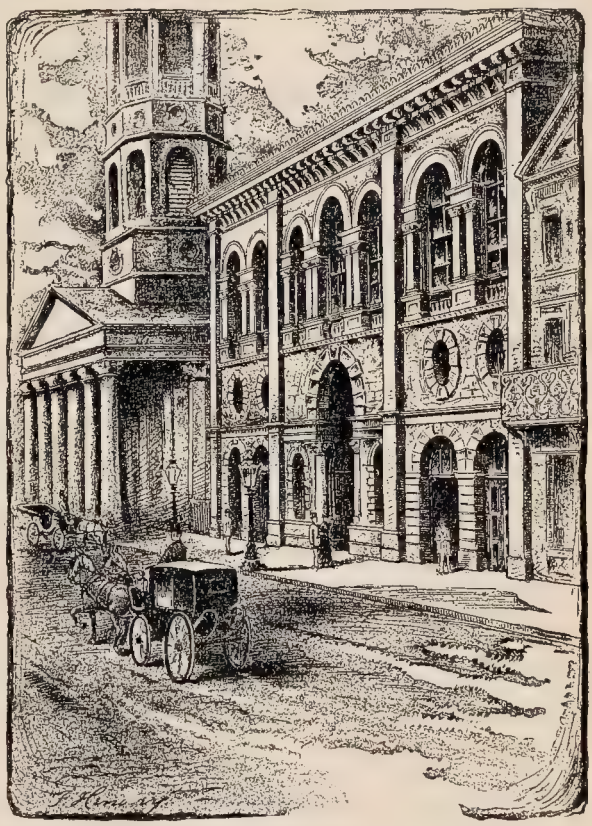
"Oh," said he, "that will be more than enough," and we parted.

My personal preference for President was Guthrie of Kentucky, who had been Secretary of the Treasury during Pierce's administration. Being well acquainted with him I had great reverence for him as a clear-headed man, of quick perceptions, of careful and conservative reflections upon all subjects, and of a well-balanced mind. And I further knew that he looked upon the preservation of the Union as infinitely beyond any question in regard to slavery, and that he was willing to sustain slavery but not at the expense of the Union. I have never seen any reason to change that opinion.

The committee on resolutions presented two reports to the convention, the Douglas and the anti-Douglas reports, and I reported, as a minority of one, the "Cincinnati platform pure and simple." The first two reports were ably argued from the platform by the representatives of each sixteen States who favored them, but their propositions did not seem to be received with much favor. This course of procedure gave me an opportunity to argue in favor of my very minority report, and this I proceeded to do with all the power I possessed.

After the arguments a vote was taken by States on the reports, and to the surprise of all, the convention adopted the "Cincinnati platform," which was substantially satisfactory to all the convention except South Carolina. In some way the delegation from that State seemed to see in its adoption the control of the convention by the friends of Mr. Douglas. That delegation also wanted there should be an explicit declaration in favor of slavery in the platform. When the platform was adopted the South Carolina delegation, headed by Governor Barry, seceded from the convention in a body, so that the State might not be bound by the action of the convention, and we adjourned for dinner.

This performance of South Carolina, applauded by several of the Southern Atlantic and Gulf States, suddenly and strongly foreshadowed to me certain consequences in the near future. War appeared to me inevitable. An incident will show how strongly I was impressed. I took dinner at the Mills House with Governor Barry of the South Carolina delegation, at his invitation, given a day or two before. After dinner we were pacing up and down the veranda of the Mills House, not in a very talkative mood, and I cast my eye over the building, counting its stories and looking at its extent. Barry, to rally me, said: "Why, Butler, what are you examining this building so critically for? Are you thinking of coming down here and setting up as a tavern-keeper?"



SECESSION HALL, CHARLESTON, S. C.

"Oh, no, Governor," I answered; "I was thinking of something very different from that, because of South Carolina's secession from the convention this morning. I was making a mental calculation as to how many troops could be comfortably quartered in this hotel."

"Oh," said he, "it won't come to that."

"God grant that it may not," was my reply.

The friends of Mr. Douglas had not the least hope of carrying the convention if the two thirds rule of national Democratic conventions, established in 1844, under which Polk was nominated as against Van Buren, should be sustained. I also learned that the Douglas leaders had formulated the plan that if they could get a majority vote for

Douglas, they would, before proceeding to ballot further, move to rescind that rule of the convention.

The balloting began. Mr. Chapin, my colleague, a firm and consistent Democrat, voted with me, we having agreed to vote together, for I had learned that his preference was for Guthrie. We voted for Douglas seven times consecutively, and the secession of South Carolina made the vote so close that Mr. Douglas was within one vote of a majority.

The most ordinary understanding of the action of political conventions will convince any one that if he desires to bring forward an outside candidate with any hope of success, it is best never to have the name mentioned until the state of the canvass shows that a new name is desirable. Wherefore I looked around for a representative man to vote for, so that when I changed from Mr. Douglas, I could show the Southern delegates on whom I must rely to bring forward my candidate, that I was willing to take a representative Southern man as candidate for the presidency.

As I have said, I was quite willing so to do, because in looking over the histories of all the presidents on the questions of slavery, I found that the North on that question always got more under a Southern president than a Northern one. A Southerner had a standing that would sustain him in such action, while a Northern president looking for a re-election at that time would be inclined to cater to the South irrespective of principle. Accordingly when the next vote was called, my colleague and myself voted for Jefferson Davis. Whether we made a good selection, subsequent events have so fully demonstrated that I need not discuss that question.

Why my choice fell upon Davis was this: He was not a candidate even of his own State before the convention. He had highly distinguished himself as an officer and gallant soldier in the Mexican War. Statesmanlike in all his expressions, he ranked among the very first as a senator. No ultra notions as to the heresy of secession could at that time be found upon his record in the Senate. While in the Senate I had occasion, in behalf of the State of Massachusetts, to converse with him upon the question whether Massachusetts should be paid the interest on the war expenses incurred by her in 1812, when she acted in a way that pleased nobody, and certainly not a Southern Democrat.

Perhaps I should explain this last observation on the conduct of Massachusetts in the war of 1812, as it has passed from memory but not from history. When troops were wanted by the United States, and Massachusetts was called upon by the President to furnish her quota, our governor, Caleb Strong, decided that they could not be marched beyond the limits of the State, except the President came himself and marched them. And the Supreme Court of Massachusetts sustained the governor,—a decision which would now be scouted by every lawyer. And so, as the President could not come to march the Massachusetts troops, they were never marched.

Again, when the news of a naval victory over a British frigate by the good ship Constitution was reported, a Massachusetts senator, unrebuked, introduced a resolution that it was unbecoming in a moral and religious people to rejoice over a victory against England, the bulwark of the Protestant religion. I do not give words here, but phrases, because I am speaking from memory; but any critic who chooses to look it up will find that I am right in substance. Is it a wonder that British troops in that war took and held for a long time the soil and towns of our State, the only State whose soil was so held?

Davis listened to me and undertook the advocacy of our claim. It had been laughed at and repudiated by Congress for more than forty years; but, by his industry in getting together the facts to show its justice, and by his clearness in putting them before the Senate, he carried the measure. The interest was paid; but only a portion of it, however, after the check was drawn, went to the benefit of the treasury of the State.

As Secretary of War, Davis had shown great reach of thought and great belief in the future of the country. It is to the surveys and explorations ordered by him as Secretary of War that much of the prosperity and growth of the Northwest is due. We owe to those surveys and explorations the Union Pacific Railroad, which was built to bind the East and West together as with a chain of steel, after Davis had seceded.

While he was Secretary of War he made a tour through a portion of the New England States. In a part of this trip I accompanied him, and I then had occasion to learn his character and his ability. He was not an original disunionist, but felt bound to follow his State. He himself told me this in December, 1860.

For these reasons I voted for him fifty-seven times in that convention, and then the convention adjourned without any break in the votes. Near the beginning of the voting, when Douglas was within one vote of a majority, one of Douglas' friends came across the hall to our delegation and said: "Who here is voting for Jeff Davis? A vote for Douglas which will give him a majority is worth $25,000." I said to him: "Sir, it takes two of us here to carry a vote, as you know. Here is my colleague in voting, Mr. Chapin; he is worth a couple of millions, or more. Perhaps you can prevail upon him, if you would like to try." That conversation went no further.

For these votes for Jefferson Davis I have been criticised and abused for more than thirty years, in every form of words that characterizes calumny. Yet, up to the time of my voting for him, the only secession by the representatives of any State was that of the delegation of South Carolina when it withdrew from the Democratic convention. For aught that anybody in the world knew, Davis was still loyal to the Union. As a loyal Union soldier he had been rewarded by a seat in the Cabinet of President Pierce, as Secretary of War. This post he had filled with commendation, and had then taken a seat in the Senate.

This abuse was heaped upon me because he afterwards acted upon the claimed conviction that there was an inherent right in the States to secede from the Union and form another national confederation, if there were a sufficient number of States joining together for that purpose. But no declaration of his can be found to that effect until his speech in the Senate in 1861, wherein he asserted the doctrine, then first fully expounded, that there was an inherent right in the States of the Union, without being treasonable, peaceably to secede from the Union; that the United States Government had no right or legal power to coerce their return, and that it was, therefore, the duty of the citizen of any State, being bound by an oath of allegiance to his State, to follow it in this rightful and not treasonable proceeding.

It will be remembered that I voted for him in June, 1860. If I had happened to vote for Horace Greeley, who was afterwards Democratic candidate for the presidency, my loyalty to the Union would have been highly praised for bringing forward the name of such a thorough-going, stanch, uncompromising Union man as that Abolition chief. He is supposed never to have swerved in his devotion to the integrity of the

Union. What, then, were the doctrines held by Horace Greeley on this subject during the year 1860, both before and after the actual secession of South Carolina and several other Southern States?

I will quote from the *Tribune* editorials of Mr. Greeley some statements which will enlighten the people of the country as to the state of mind of a very considerable portion of the Republican party. These people followed the lead of the editor of the *Tribune* until, by his incessant hounding of the administration, he caused the government to precipitate the disastrous battle of Bull Run, fought on the 21st day of July, 1861, and by his continual cry of "On to Richmond" instigated a war upon the Southern Confederacy for doing that which he had encouraged them to do and justified them in doing, to wit, peaceably seceding from the Union. It is needless, perhaps, for me to say that I did not believe in Horace Greeley's statesmanship or teachings in 1860, nor before or after. I shall not quote his insane ravings for immediate battle in 1861. The following are extracts from his editorials in 1860:—

[New York *Tribune*, Dec. 8, 1860.]

. . . We again avow our deliberate conviction that whenever six or eight contiguous States shall have formally seceded from the Union, and avowed the pretty unanimous and earnest resolve of their people to *stay* out, it will not be found practicable to coerce them into subjection; and we doubt that any Congress can be found to direct and provide for such coercion. One or two States may be coerced; but not an entire section or quarter of a Union. If you do not believe this, wait and see.

[New York *Tribune*, Dec. 17, 1860.]

. . . But if ever seven or eight States send agents to Washington to say, "We want to get out of the Union," we shall feel constrained by our devotion to human liberty to say, "Let them go." And we do not see how we could take the other side without coming in direct conflict with those rights of man which we hold paramount to all political arrangements, however convenient and advantageous.

[New York *Tribune*, Dec. 24, 1860.]

. . . Most certainly we believe that governments are made for the peoples, not peoples for governments; that the latter derive their just power from the consent of the governed; and whenever a portion of this Union, large

enough to form an independent self-subsisting nation, shall show that, and say authentically to the residue, "We want to get away from you," I shall say—and we trust self-respect, if not regard for the principles of self-government, will constrain the residue of the American people to say—"Go."

[New York *Tribune*, Dec. 28, 1860.]

. . . Nor is it treason for the State to hate the Union and seek its disruption. A State, a whole section may come to regard the Union as a blight upon its prosperity, an obstacle to its progress, and be fully justified in seeking its dissolution. And in spite of adverse clamor we insist that if ever a third or even a fourth of these States shall have deliberately concluded that the Union is injurious to them, and that their vital interests require their separation from it, they will have a perfect right to seek such separation; and should they do so with reasonable patience, and due regard for the rights and interests of those they leave behind, we shall feel bound to urge and insist that their wishes be gratified,—their demand conceded.

It will be observed that these utterances were made after secession had become a pronounced and vital question; and as I have shown, I voted for Davis in 1860, with intent to preserve the Union and ward off that very secession which Greeley long afterwards justified, advised, and did all that he could to incite.

Nearly a year after my vote, Gen. Winfield Scott, then the Commander of the United States Army, being organized to prevent secession, declared in regard to the secession of certain Southern States: "Wayward sisters; let them go in peace."

It will be seen hereafter that at the time Greeley was writing these editorials, I was declaring to the leading members of the Southern States, my political associates, that there was no right of secession; that the government had a right to restrain it by force of arms, and that the North would fight to prevent it. In view of these facts, did I deserve the abuse poured upon me for that vote by insensate newspapers, headed by the New York *Tribune*, or ought I to apologize for having so voted?

The convention then adjourned to Baltimore without further action. This adjournment to Baltimore was a plan of the friends of Judge Douglas, and its purpose was afterwards accomplished. It was evident that very many of the delegates of the convention,

especially those from the Gulf States, would never go to Baltimore, and some announced an intention of resigning their positions. The Douglas men in the several Southern States held district conventions anew and elected other delegates, enough to give their chief a working majority.

A large portion of the New England delegates, who went to Charleston by sea in a steamer chartered by themselves, returned by land, and on their journey home discussed the situation of political affairs very earnestly but very sadly. Many of them were of the confirmed conviction that the Democratic party was, as proved to be the fact, hopelessly divided for years. Signs of sectional disunion were numerous and portentous. Among the most important was the division of the Methodist-Episcopal Church into a Northern and a Southern organization.

It was also evident that at least six of the Southern States would secede if the coming election should prove disastrous to the Democracy, and if a Republican President, presumably Seward, should be elected. In that event the most thoughtful were persuaded that war would follow, but of what magnitude none could foresee. Among the returning delegates was George F. Shepley, of Maine, who afterwards went with me to Ship Island in command of a regiment, became a brigadier-general, and died a Circuit Court Judge of the United States. As we were crossing the Potomac from Acquia Creek, he turned to me and said: "Butler, when we cross the Potomac again we shall be carrying muskets on our shoulders;" and I replied: "That is only too likely to be the fact."

The convention met in Baltimore, on the 18th of June, in accordance with its adjournment. When it assembled it appeared that the places of the seceding delegates from the South had been filled by the adherents of Judge Douglas. This gave him a decided majority, although by no means the necessary two thirds. The two thirds rule had been adopted in 1844 by the Democratic National Convention, and readopted by every succeeding convention. It provided that no nomination could be made that did not bring to its support two thirds of the members of the convention. If that rule obtained, the nomination of Douglas was impossible. The organization of the convention indicated very clearly, however, that the rule would be repealed. Some of the new Douglas delegates from the South were much more

pro-slavery than the seceding ones. The seceders would have been content if they could have been assured that existing laws concerning slavery would be sustained. Some of the new delegates declared themselves in favor of laws reopening the slave trade and authorizing the importation of negroes from Africa. One Goulding, of Georgia, made a most violent speech in that direction, and it was loudly applauded by a majority of the Southern delegates.

Those delegates, who believed that it was better for the country that the laws in any degree humanizing negro slavery should be maintained, deemed it necessary to withdraw from the convention, before the nominations were made, that they might not be bound by its proposed action. With them went those delegates who believed that the slaveholder should have the right to own his negroes in the Territories, until the Territories became States, as he would have his right to any other property, and that the State in its Constitution should determine whether he should emancipate his slaves or emigrate from the State. This was the doctrine of those men afterwards known as squatter sovereignty Democrats. Thereupon, the Hon. Caleb Cushing, who had been elected to preside over the convention at Charleston, and who still presided over its deliberations at Baltimore, abandoned the chair and left the convention.

I also left the convention, stating as one of my reasons for withdrawing that "I would no longer sit in a convention where the reopening of the African slave trade, made piracy by every law of God and man, was advocated and applauded." The delegates who withdrew organized themselves into another convention, and nominated John C. Breckenridge, then Vice-President of the United States, but not until the Northern delegates had received from Mr. Breckenridge and his Southern supporters, not merely the strongest possible declaration of his devotion to the Union and the Constitution, but a particular disavowal and repudiation of the cry then ringing through the South, that if the Republican party came into power, the South would secede.

Before Mr. Breckenridge was nominated I went to Washington, and had an interview with him, and received such assurances. I have no doubt that Mr. Breckenridge was sincere, and intended to stand by his pledge. He certainly adhered fully to the Union down to the time when war became inevitable.

The platform of the Breckenridge convention upon the subject of slavery was this: Slavery lawfully exists in a Territory the moment a slave owner enters it with his slaves. The United States is bound to maintain his right to hold slaves in a Territory, but when the people of the Territory frame a State Constitution they are to decide whether to enter the Union as a slave or as a free State. If as a slave State, they are to be admitted without question, but if as a free State the slave owners are to retire or emancipate their slaves.

It is but just to say that we knew the defeat of Breckenridge was inevitable, because of the rupture of the Democratic party, caused by the friends of Douglas. We supposed that the Republican party would come into power under the lead of Seward, and that the majority of the Senate and the Supreme Court would still be Democratic, and probably a majority of the House also. This was the actual result of the election, though resignation of their seats by secession members of Congress wiped out that majority. We thought that the scramble for office in the Republican party would disunite it, and that it would go to pieces within six months. We foresaw that at the very next election of members of Congress after the inauguration of the President, the people would elect a House in opposition to the administration, as had uniformly been the case. That also became a fact. Mr. Lincoln would have been beaten in his first House of Representatives by nearly a two thirds majority, if one third of his opponents had not left their seats vacant.

In regard to Douglas, we were certain that his personal aspirations, forcing him into a contest which had disrupted the Democratic party, would shelve him forever as a Democratic politician, almost as effectually as if he had been buried physically instead of politically. We further arranged to have our organization extend to 1864, and then to sustain our young leader, Breckenridge, for the presidential nomination of that year, when there would be a certainty of success.

There was only one reason why I did not share fully in these expectations, and that was because I believed that secession was certain and war would inevitably follow. But I was willing to make one more attempt, at whatever of personal sacrifice, to prevent a final destruction of the Democratic party, and the consequent disunion of the nation.

I returned home only to meet a very violent opposition and denunciation.

Perhaps here it may be well to say a few words upon the political condition of the country.

Two candidates had been nominated by two factions of the Democratic party. The Republican party had not made its nomination, but it was fully believed the candidate of that party would be Mr. Seward. He had proclaimed the doctrine of an "irrepressible conflict" existing in the country upon the slavery question. That doctrine, if carried to its logical conclusion, meant war.

I had been elected as a delegate to the Democratic convention by a constituency that undoubtedly was in favor of Judge Douglas, because the country understood that his platform on the question of slavery was "squatter sovereignty," which was understood to mean that the question of slavery should be determined in any Territory by the people who settled that Territory. If the Territory was settled by Northern men in majority, that meant the extinction of slavery there. We had had an example of that in the case of the State of Kansas.

The people of the North were enterprising and far-reaching, and had settled most of the already thriving country of the Northwest, and would, of course, settle the remainder of that unoccupied Territory as soon as it was in a situation to be inhabitated. The South was composed of more stable and unemigrating communities than the North. Beside, the question of slavery would be of no consequence to the Southern man unless he left his home and took with him negroes enough to make it worth while to maintain a stand upon the question, and men who had such an amount of property rarely emigrated. So that Douglas' position, when I was chosen a delegate, was one which would quietly and peaceably settle the future extension of slavery, at least for a time, and avoid all danger of an armed or violent disturbance. Therefore, I was in favor of his candidature, and was so elected by my district.

As I have already said, I called upon Judge Douglas, who did not inform me of any change in his political views, and I told him that, while I doubted whether he could be nominated, I was willing to vote for him five times. When I reached Charleston, it was plain to me, and to everybody else of any discernment, that Judge Douglas could not be nominated on the platform of "squatter sover-

eignty," because the South saw that such a doctrine would, as I have shown above, be a practical ending of the slavery question, so far as the future admission of new States into the Union was concerned. They viewed it as I did.

Originally there were two sets of resolutions presented in the Committee on Resolutions. The first embodied substantially the Douglas doctrine. The other was a series of propositions which provided for a slave code for the Territories, and upon the high seas, and declared that Congress had no power to prohibit slavery in the Territories; that the legislatures of the Territories had not the power to prohibit therein either slavery or the introduction of slaves, nor any power to destroy or impair the right of property in slaves by any legislation whatever; and that, furthermore, it was the duty of the federal government to protect the rights of persons and property on the high seas, in the Territories, and wherever its Constitutional authority might extend.

The committee was divided upon these propositions, sixteen free States advocating the Douglas doctrine, and fifteen slave States, together with Oregon and California, dissenting. While the consultation was going on, three gentlemen entered the committee-room and announced themselves a committee from a caucus of the friends of Judge Douglas, with a resolution which his friends desired to be reported to the convention, in order, the chairman said, to aid the Southern friends of Judge Douglas. The resolution was as follows: —

> Resolved, That all questions in regard to the rights of property in the States and Territories arising under the Constitution of the States are judicial in their character, and the Democratic party is pledged to abide by and faithfully carry out such determination of this question as has been or may be made by the Supreme Court of the United States.

Now, the decision of the Supreme Court had been in substance that "a negro had no rights that a white man was bound to respect;" and this was the platform proposed by the friends of Judge Douglas as a concession to the South. It were better that a slave code, if we were to have one, should be made by Congress than by a decision of the Supreme Court, especially if we assented that the questions were not legislative, but judicial. If the Supreme Court made a slave

code upon those principles, it could not be repealed, however objectionable it might be, and however the interests of the country might suffer in consequence; whereas, a slave code made by Congress could be repealed if found injurious to the country or unjust to any portion of its people. I objected to having a caucus dictate what the Committee on Resolutions should adopt, or interfere with its deliberations; but my point of order was overruled.

This new resolution involved an entire change of principles as to the slavery question from those which I supposed Judge Douglas held. If he was willing to make such a concession to the slave power to secure the votes of the South, I wanted none of him; but I could not hold him responsible, as he was not there.

I then introduced the resolutions of the Cincinnati platform of 1856, with the addition of a resolution that the United States should extend a like protection over its native born and naturalized citizens. To this clause no objection was made. My proposition was voted down in the committee by seventeen States to sixteen. The Douglas propositions were voted down by seventeen States, and the other propositions were carried by seventeen States, — fifteen slave States and two free States, Oregon and California. What became of the resolutions in the convention I have already stated.

I have also given the report adopted at Baltimore by the Breckenridge convention, and the only change made in the resolutions of the Breckenridge convention was to add a declaration against secession. I chose to support the nomination of Breckenridge because the question for the country to determine (leaving out the side show of the Bell and Everett candidature, which was to come to nothing), was between secession and the recognition of the Constitutional rights of slavery on the one side, and the submission of the governing power of the people on this great question to certain appointive officers under such declaration of legal principles, that, from their decision, there was no appeal or future revision. Therefore the giving of my support to my friend Breckenridge was a simple protest against the doctrine of secession.

On my return to Lowell, I was met with the most bitter and humiliating charges. When the district delegates who had elected me were called together to listen to my report, our very large city hall, capable of accommodating six thousand people, was completely

filled. Part of those in attendance were delegates, but part were miserable creatures, who got their inspiration from a neighboring tavern, the Merrimac House, kept by an old political enemy, whom I had prosecuted for selling liquor unlawfully. When I arose to speak, I was met with the most uproarious yells and drunken cat-calls that one can well imagine. I asked to be heard, but they declared that I should not speak. As I had made no preparation for such a state of affairs, I was not able to speak and the meeting broke up in confusion. But I announced to the audience that two weeks from that day I would address them in that hall, and that I should be prepared to deal with mobs and their instigators in a way that would be exceedingly unpleasant to them; and advised those who were not disposed to conduct themselves properly to stay at home. On that day, however, the decent and orderly Democracy filled the hall, and I made a speech of several hours in length, which was regarded by my friends and personal associates as a very effective defence of my course in the Charleston and Baltimore conventions.

The campaign went on. The Breckenridge party put in nomination their candidates in Massachusetts, and I accepted the candidature for the office of Governor, willing to be sacrificed to the political cyclone. I received but 6,000 of the 169,534 votes cast, whereas, the year before, as a candidate of the united Democracy, I had received 35,326 of 108,495 cast. I had done nothing in the meantime to change the vote except to declare myself unalterably opposed to a slave code to be established by the Supreme Court of the United States under our Constitution. For that court would be obliged to follow the legal principle enunciated in the decision in the "Dred Scott case," and this could only lead to reopening the African slave trade on the high seas, where it had been prohibited for nearly half a century, and riveting the chains on the negroes forever.

The National Committee appointed by the Breckenridge Convention of Baltimore consisted of fifteen gentlemen, of whom I was one. They had agreed, before they separated, to meet at Washington during the holidays in December, to take note of the results of the election, and to issue an address to the Democracy of the country for reorganization. But Lincoln having been elected, and South

Carolina having seceded, and several other of the Southern States having taken action in that direction, only seven members, I think, of that committee met. As soon as we came together, it was evident that the Breckenridge wing of the Democratic party was wholly disrupted. I was informed by my Southern colleagues that the South had come to the conclusion to secede from the Union and form a government whose corner-stone should be slavery, and that their new empire would never permit reunion with any other of the States, except possibly Pennsylvania and a few Western States. They even decided that if all the other States should unite, New England was to be left out in the cold. No reunion was ever to be accorded to her.

"Well," I said, "what are you going to do with your Democratic friends in those States?"

"Oh, they must take care of themselves," was the cool reply.

"Well, where am I to go?"

"Oh, you had better come down and live with us; we will take care of you; we want such men as you are."

I said: "I can't do that, and what is more I won't do that. Your whole scheme is entirely impracticable, and no part of it can possibly be successfully carried out."

"Why not?"

"Because it is treason to the country, and the North will fight to prevent it."

"Who will fight?" was the reply.

"Well, I will for one, and I shall be joined by a great many."

"The North can't fight; we have friends enough at the North to prevent it."

"You have friends at the North as long as you remain true to the Constitution, but let me tell you that the moment it is seen that you mean to overthrow the government, the North will be a unit against you. I can answer at least for Massachusetts; she is good for ten thousand men to march at once against armed secession."

"Massachusetts is not such a fool. If your State has ten thousand men to preserve the Union against Southern secession, she will have to fight twice ten thousand of her own citizens at home who will oppose the policy."

"No, sir; when we come from Massachusetts on this errand, we shall not leave a single traitor behind, unless he is hanging on a tree."

"Well, we shall see."

"You will see; I know something of the North, and a good deal about New England, where I was born and have lived for forty-two years. We are pretty quiet there now because we don't believe you mean to carry out your threat. We have heard the same story at every election these twenty years. Our people don't believe you are in earnest. But let me tell you, as sure as you attempt to destroy this Union, the North will resist the attempt to its last man and its last dollar. You are as certain to fail as there is a God in heaven. One thing you may do, you may ruin the Southern States, and extinguish your institution of slavery. From the moment the first gun is fired on the American flag your slaves will not be worth five years' purchase. But as to breaking up the Union, it cannot be done. God and nature, and the blood of your fathers and mine have made it one, and one country it must and shall remain."

Afterwards in talking with the South Carolina Commissioners who were there to present the ordinance of secession to the President, a similar conversation occurred: —

"The North won't fight."

"The North will fight."

"If the North fights, its laborers will starve and overturn the government."

"If the South fights, there is an end of slavery."

"Do you mean to say that you, yourself, would fight in such a cause?"

"I would; and by the grace of God, I will."

Hon. Jeremiah S. Black, Attorney-General of the United States, as the legal adviser of the government, gave an opinion that the acts and doings of the men of the secession convention of South Carolina in voting to secede from the Union was legally definable as a riot, for the suppression of which the forces of the United States could not be lawfully used.

As Mr. Black and myself were personal friends, having known each other well as lawyers, and having been employed as opposing

counsel in the Supreme Court, I called upon him for the purpose of asking him to advise the President to gain time by submitting the question to the Supreme Court, which would give an opportunity for the passions of the South to cool, and hand the matter over to the next administration, thereby relieving his administration of its unhappy predicament. I said to him: —

"I have read your opinion that the government cannot use its army and navy in South Carolina to coerce that State. I do not agree with you, but let that pass. Now, secession is either a riot or treason. If it be only a riot, the sooner we know that in the highest form of knowledge, a decision of the Supreme Court, the better for all. If it be treason, then the presenting of an ordinance of secession by the commissioners is an overt act of treason. It is an official call by the representatives of an armed combination of citizens upon the President to demand the surrender of a portion of the territory of the United States to a foreign nation. That is an overt act of treason of course, at common law. Our own Constitution defines treason to consist only in levying war against the United States, or adhering to its enemies and giving them aid and comfort. To present an ordinance of secession to the President of the United States would be adhering to the enemies of the United States and giving aid and comfort to its declared enemies, and hence an overt act of treason. Let the President, when the commissioners call upon him for this purpose, admit them. Let them present the ordinance. Then let the President say to them: 'Gentlemen, you are either ambassadors from a foreign state, and should be received and treated as such, or you are citizens of the United States giving aid and comfort to its declared enemies, which is treason. I must receive you in one of these two characters or not at all. I think your condition is the latter. Gentlemen, you will go hence into the custody of the marshal of the United States as prisoners, charged with treason against your country.' Then let a grand jury be summoned here in Washington, and indict the commissioners, or let the Chief Justice of the Supreme Court of the United States, acting as a commissioner, as Marshall did in the case of Aaron Burr, examine the question with all the imposing form and ceremony that attended his trial. Let the Chief Justice bind them over to be indicted by a grand jury, and then have the matter brought before the full court, as can easily be done, and have




Engraved from a Portrait. Copyrighted.

*James Buchanan*

them tried, and we shall learn what is the legal character of this act of secession. I have some reputation at home as a criminal lawyer, and will stay here and help the district attorney through the trial without fee or reward. If they are sentenced for treason, execute that sentence, and that will stop secession, for the present generation at least. If they are acquitted, something will have been done toward leaving a clear path to the incoming administration. Time will have been gained, and this administration will have put the question in the best form to learn the power and duty of the United States as to the rights of secession. And the great advantage will be that both sides will pause and watch this high and dignified proceeding, the passions of men will cool, the great point at issue will become clear to all parties, and the attention of the country will be active while passion and prejudice are being stayed. But if you cannot use the army of the United States in South Carolina, you can use it to preserve order here."

Mr. Black advised me to put my views before the President, and I went to him immediately and made an arrangement for an interview for that purpose, at which I laid the matter before him substantially in the same form that I had stated it to the attorney-general. Mr. Buchanan was a quiet old gentleman and had been for many years a trained politician, but to say that he was astounded at the boldness of the proposition would be but a feeble description of his condition of mind and body. He said in substance: "These men claim to be ambassadors, and though we cannot admit the claim, still, they have voluntarily placed themselves within our power, and seem to have a kind of right to be at least warned away before we can honorably treat them as criminals or enemies."

To this I replied that my object was to have it judicially ascertained which they were. That they had committed an act of treason voluntarily, was certainly no ground for permitting them to escape, and if they had not committed treason, they were clearly ambassadors, and the State from which they came could require the United States to indemnify them for all they had suffered.

Of course it was impossible for a man of Mr. Buchanan's temperament and training, however honest and conscientious, to adopt so decisive a course. He thought it would lead to great agitation. I thought it would stop agitation until the question was determined, and

whichever way determined it would prevent unauthorized action being taken. For, if the commissioners were acquitted on the ground that they were ambassadors from a sovereign power, then there was nothing to be done except to treat other secession commissioners accordingly.

It was known at the time that such a proposition had been made, and my recollection is that no other commissioners ever came to the President to propose such an act of treason. I thought then, and still believe, that the question of secession could have been settled then in a manner that would have saved life and treasure incalculable. No lawyer with whom I have discussed the question since, has suggested a legal objection to the plan. [1]

I was well acquainted with Mr. Orr, one of the commissioners of South Carolina, and I stated to him my proposition as I had laid it before the President. Orr replied: "Why, you would not have hanged us, would you?" and I answered: "No; not unless you had been convicted."

I was not alarmed at this condition of things, because, as I have said, I had foreseen it. But I wished to know if there was any hope

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[1] After this was written it occurred to me whether I ought, in justice to myself, to state this very advanced position which I had taken with the President, and I knew of no person living who was aware of the fact by whom, if it were denied, it could be substantiated. With some misgivings it was put in type. Afterwards when travelling in a car with General John Cochrane, of New York, a very distinguished Tammany politician and a warm friend of General McClellan, and chatting over matters which were of interest when we were political friends, he said to me: "I suppose you are not aware that I witnessed a very remarkable scene between yourself and President Buchanan in the latter part of December, 1860, when I met you in Washington." I said I did not know that he had seen anything between Mr. Buchanan and myself. He answered that he had, and added: "You told me that you intended to advise Buchanan to treat Barnwell, Adams, and Orr,— the commissioners appointed by South Carolina to present the ordinance of secession to the President,— as traitors guilty of an overt act of treason; and that another audience had been granted you by the President for Monday morning at ten o'clock for that purpose. I determined to be there; and going up soon after ten o'clock I got a sight of that interview and it impressed itself upon my mind very strongly, and I have told it many times since to different friends." "Ah," I said, "I did not know that you knew anything about it." "Yes, General, I did." I said to him: "Will you kindly write me a note of your remembrance of the scene, as I wish to preserve some evidence of it?" "I will if you desire it," said he. In a few days I received a note from the general, from which I extract the following: —

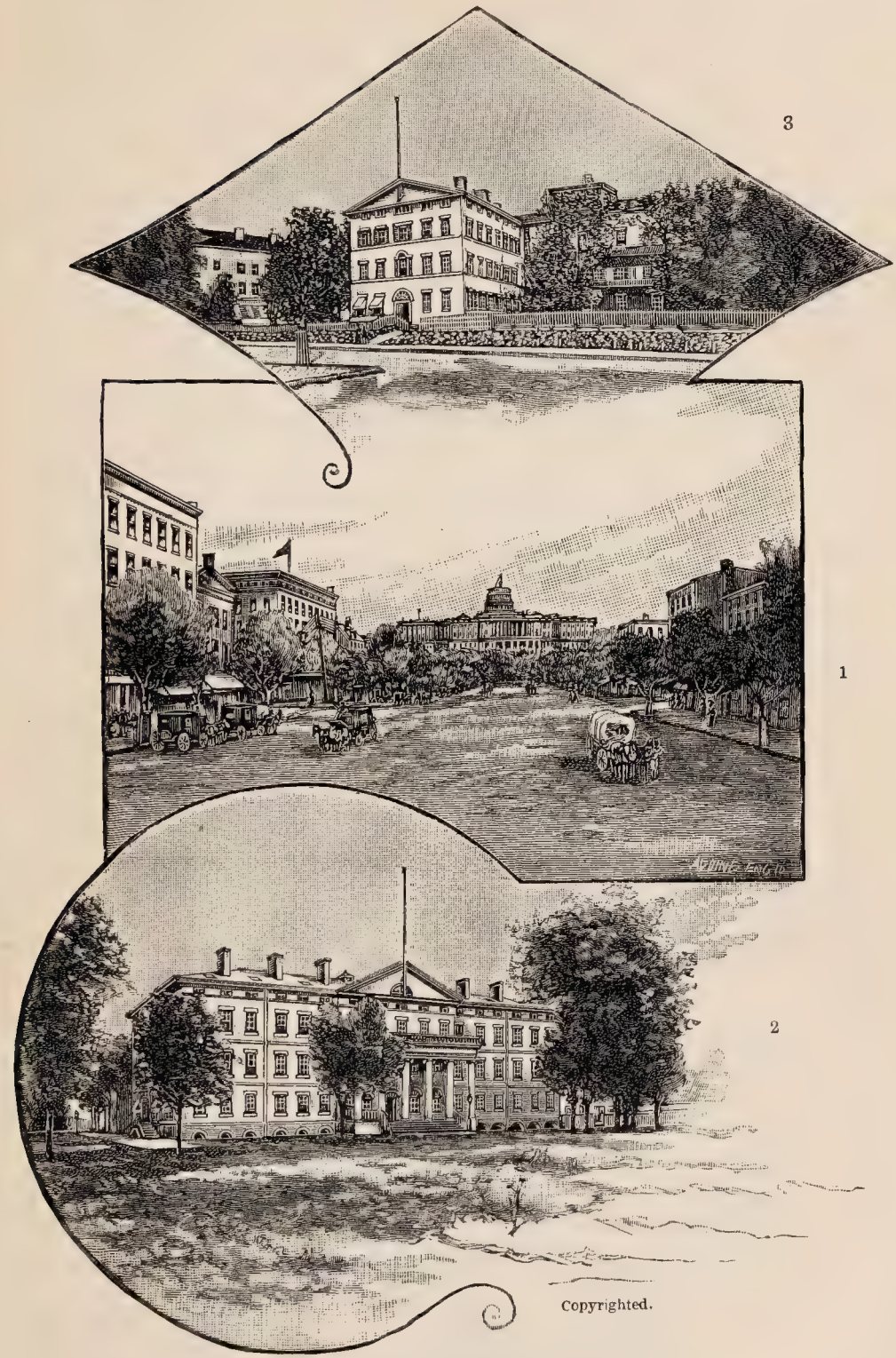
BROOKSIDE, MORRIS CO., NEW JERSEY.
July 11, 1891.

. . . . . .

*My Dear General:* — I met you casually on Penna. Ave., when you told me your purpose. You said that the commissioners ought to be hanged, and that you should urge it upon the President. You named the hour of the next morning for which your interview with him was arranged.

I determined if possible to witness it, and going accordingly to the Executive Mansion the next morning, I quietly opened the door and looked into the President's reception room, where an impressive tableau was being enacted. You sat directly facing the President, as if in the act of speaking to him. The President sat in his chair upright but blanched. The view was instantaneous; and unwilling to disturb its surprising effect, I at once closed the door, and have ever since preserved in my mind the photographed scene: — Your attitude was aggressive, and the posture of the President denoted amazement struggling with fear. I concluded that you had just discharged at him your demand that the commissioners be hanged and that the President's appearance indicated its prostrating effect upon him.

In the course of one of those initial stages of the Rebellion, the President once said to me that he was the last President of the United States. Sincerely yours, JOHN COCHRANE.




WASHINGTON SCENES IN 1861.

1. Pennsylvania Avenue looking towards Capitol.
2. War Department Building before War. 3. Navy Department Building before War.

of relief therefrom. Accordingly, I wrote a note to Jefferson Davis, then a member of the Senate, soliciting an interview. He sent me a card inviting me to take tea with him on that evening, as he would be alone. Accordingly I went, and was hospitably and quietly received, and a conversation of several hours followed, in which the whole situation was discussed. That interview convinced me that war was inevitable.

I do not rehearse this conversation at length, because a private conversation between friends is not a proper subject for publication. Yet I think I may say without offending that etiquette, that I asked him how he could justify himself in joining the South in breach of his oath of allegiance to the United States. He answered: "My first oath of allegiance is to the State of Mississippi, and my allegiance to the State of Mississippi overrides any allegiance to the United States."

"Then," I said, "I suppose if Mississippi votes to go out of the Union, you go with her?"

"Yes, I must go with my State."

The interview was a serious and sad one. He said to me: "Will you come with us?"

"No; I shall go with my State because of my allegiance to the United States."

"Is it possible, then," said he with some tremor in his voice, "that we shall meet hereafter as enemies?"

"That depends upon yourself; it would be to my great regret."

We shook hands and parted, and I never afterwards saw him, which was a piece of good fortune to him; for if we had met while I was in command in the United States army, he would have been saved a great deal of the discomfort which he suffered by being confined in prison.

I had been about Washington more or less for several years, and had many acquaintances in the city. Knowing that I had been a Democrat, these friends now talked very freely, not as if matters were to be kept secret, but as if they were speaking of matters known by all. I invited a Washington friend, a citizen of Washington, to dine with me at my hotel. After dinner, he said: "Let us take a walk and I will show you something of what we mean to do." We took our cigars and walked up Fifteenth Street to K Street, and

out towards Georgetown as far as the locality where the house of the British Minister now is. There he took me to certain sheds, which looked like market sheds. They were long, low buildings, and, as it appeared by looking though the cracks, were dimly lighted. He took me to the farther end of one of them, and there, looking through a small aperture which I reached by standing upon a keg, I saw from seventy-five to one hundred men drilling with arms, and I heard the commands of the school of the soldier, such as are given in military drill.

I stepped down and said: "Well, what is all this about?"

"We are getting ready for the 4th of March," said he.

"Drilling a company of the district militia to escort Lincoln?"

"Yes," said he with a laugh, "they may escort Lincoln, but I guess not in the direction of the White House."

I looked at him and said: "You are not in earnest."

"Never more in earnest in my life. We don't intend to have the black Republican —— (I don't remember the offensive term) inaugurated to rule over us here in Washington."

I walked along in silence for a short time, and then said: "Let me adjure you to be very careful in what you are doing. That would be treason and war, which will level Washington with the dust if it is undertaken."

"Oh," he said, "there will be no trouble about it." And having neared the street that he should turn down to reach his home, we shook hands and parted.

I saw him once afterwards, but it was in the Old Capitol Prison.

I looked for other indications of the temper of the people in Washington. I talked with some of the ladies, and they were outspoken as to what would happen to Lincoln if he ever came to the capital.

## CHAPTER IV.

## THE CALL FOR TROOPS.

FILLED with apprehension, I returned to Boston about the 28th of December, being delayed one day in a snowstorm. I felt it my duty immediately to call upon Governor Andrew, and state to him that I believed there was to be an attempt, on the 4th of March, to prevent, by armed force, the inauguration of Lincoln, in Washington; and that it seemed to me that Massachusetts should be prepared to meet such a crisis, by having her militia ready to march to the aid of the government.

I explained to him that while we were quite well equipped with arms for service, yet there was not to my knowledge a military overcoat in the possession of any volunteer soldier, except some fancy overcoats owned by two or three of the city companies; that the 4th of March was a very inclement season in Washington, and that it would be utterly impossible for the troops to go without overcoats. Besides, there was not, to my knowledge, a haversack among the equipments of our soldiers in which rations could be carried, and their uniforms were holiday affairs, which might, however, stand the rough usage of a short campaign.

I then called to his mind the fact that our volunteer soldiers were largely young men, and pretty largely young Democrats, and suggested that if they were called upon to march by the order of a Republican governor to fight their party associates, they might hesitate. Said he: —

"How can this be obviated?"

"Let each company," I replied, "be quietly called to its armory, and the question put to every soldier, 'Are you ready to march, when called upon to defend the national capital?' I think the

adjutant-general should be instructed to have this proceeding taken at once, but with great secrecy. In my brigade, I will see that the order is fully executed, and I will report to you when the brigade is ready to march. I hope that you will ask the legislature in secret session, — because we don't want to show any alarm, — to provide you with an emergency fund out of which these necessary articles can be procured."

He was somewhat incredulous, and thought I was unnecessarily moved. I told him it would do no harm to equip our soldiers properly, and also to ascertain their readiness and willingness to march, as it might do great harm not to have them in full readiness, since it was the firm belief of many in the South that a portion of our soldiers would not fight.

I had several interviews with Governor Andrew upon these topics at his suggestion, and on the 16th of January General Order No. 4 was issued in the words following: —

HEADQUARTERS, BOSTON, January 16, 1861.

General Order No. 4.

Events which have recently occurred, and are now in progress, require that Massachusetts should be at all times ready to furnish her quota of troops upon any requisition of the President of the United States to aid in the maintenance of the laws and the peace of the Union. His excellency the commander-in-chief therefore orders:

That the commanding officer of each company of volunteer militia examine with care the roll of his company, and cause the name of each member, together with his rank and place of residence, to be properly recorded and a copy of the same to be forwarded to the office of the adjutant-general. Previous to which commanders of companies shall make strict inquiry whether there are men in their commands who, from age, physical defect, business or family causes, may be unable or indisposed to respond at once to the orders of the commander-in-chief made in response to the call of the President of the United States; that they be forthwith discharged, so that their places may be filled by men ready for any public exigency which may arise, whenever called upon.

That order was distributed to the commanders of the militia. It came to Lowell, and our enlisted men and their arms and equipments were examined, and the questions embraced in the order were put to every man. Col. Edward F. Jones, in command of the Sixth

Regiment, and myself a part of the time, were present at the examination; and to the honor of the Lowell militia, no able-bodied man of suitable years said he would not go if called upon, and we so reported.

On the 19th of January, 1861, the following resolution, passed by the field officers and commanders of companies of the Sixth Regiment, was sent to the governor: —

> Resolved, That Colonel Jones be authorized and requested forthwith to tender the services of the Sixth Regiment to the commander-in-chief and legislature, when such services may become desirable, for the purposes contemplated in General Order No. 4.

That resolution went to the governor on the 22d of January, and on the same day Governor Andrew sent the following message to the House of Representatives: —

> I transmit herewith, for the information of the General Court, a communication offering to the commander-in-chief and the legislature the services of the Sixth Regiment, Third Brigade, Second Division of the Volunteer Militia of the Commonwealth, which was this day received by me from the hands of Brigadier-General Butler.

This was the only regiment that tendered its services. Not that all would not have done so if they had had an opportunity or full instruction; but in Lowell about that time there happened to be a couple of live men, — Colonel Jones, who is now the lieutenant-governor of the great State of New York, and myself, — who believed beyond peradventure that we should soon be called upon.

In accordance with this message of the governor, the legislature on the 23d day of January, passed a resolve, a portion of which is as follows: —

> Whereas, Several States of the Union have through the action of their people and authorities assumed the attitude of rebellion against the national government; and whereas, treason is still more extensively diffused; and whereas, the State of South Carolina, having first seized the Post-Office, Custom House, moneys, arms, munitions of war, and fortifications of the Federal Government, has, by firing upon a vessel in the service of the United States, committed an act of war; and whereas, the forts and property of the United States, in Georgia, Alabama,

Louisiana, and Florida have been seized with hostile and treasonable intention; and whereas, senators and representatives in Congress avow and sanction these acts of treason and rebellion; therefore,

Resolved, That the legislature of Massachusetts now, as always, convinced of the inestimable value of the Union, as the necessity of preserving its blessing to ourselves and our posterity, regard with unmingled satisfaction the determination evinced in the recent firm and patriotic special message of the President of the United States to apply and faithfully discharge his constitutional duty of enforcing the laws and preserving the integrity of the Union, and we proffer to him, through the Governor of the Commonwealth, such aid in men and money as he may require, to maintain the authority of the national government.

Resolved, That the Union-loving and patriotic authorities, representatives, and citizens of those States whose loyalty is endangered or assailed by internal or external treason, who labor in behalf of the Federal Union with unflinching courage and patriotic devotion, will receive the enduring gratitude of the American people.

Resolved, That the governor be requested to forward, forthwith, copies of the foregoing resolutions to the President of the United States and the governors of the several States.

These resolutions followed the message to Congress of President Buchanan. So the matter stood until the 5th of February, when Mr. Tyler, of Boston, for the Committee on Finance, reported that an emergency bill ought to pass, and said that the committee had received information of an alarming character, which rendered it necessary that the Executive should at once be provided with means of defence. Mr. Slack said he supposed he violated no confidence in saying that within the last twenty-four hours the Finance Committee had received the most alarming information. It might be that an attack would be made upon Washington, within the next fifteen days. Mr. Davis, of Greenfield, said he was in favor of the bill, but thought the information could not properly be communicated to the public, and he therefore moved that the House go into secret session. The motion was agreed to, and sitting with closed doors, the House passed the bill, as follows: —

There is hereby appropriated the sum of one hundred thousand dollars, to be designated as the Emergency Fund, which shall be paid out of the treasury of this Commonwealth, from ordinary revenue, on any

warrants of the governor, which may be drawn from time to time, for such amounts, not exceeding in the aggregate one hundred thousand dollars, as in the judgment of the governor, by and with the consent of the council, may be necessary for the public service: Provided, that no part of this sum shall be expended for services or objects for which there are or may be subsisting appropriations contained in any act or resolve which has been or may be passed at the present session of the General Court; and an account shall be rendered to the next General Court, on or before the 15th day of January next, of the manner in which said fund, or any part thereof, has been disbursed.

This act shall take effect upon its passage.

Although not a member of the legislature, I was present in that secret session, and gave such testimony as I had. That emergency bill was passed on the 5th of February, appropriating a hundred thousand dollars as an emergency fund to put the militia in proper readiness for war.

Colonel Jones went with me to tell the governor that his regiment and my brigade, while in as good condition as any other part of the militia, were in such plight that they could not march out of the State, that the men had only holiday uniforms, and must be furnished with overcoats, knapsacks, haversacks, blankets, and other needed equipments for camping. The governor said: "Put that information in writing." Whereupon Colonel Jones wrote this able and opportune letter: —

Boston, Feb. 5, 1861.

To His Excellency the Commander-in-Chief:

At our interview this morning, you requested me to put the matter which I wished to communicate in writing. In accordance therewith, I make the following statement as to the condition of my command, and take the liberty to forward the same directly to you, passing over the usual channel of communication for want of time.

The Sixth Regiment consists of eight companies, located as follows, viz.: Four in Lowell, two in Lawrence, one in Acton, and one in Boston, made up mostly of men of families, "who earn their bread by the sweat of their brow," men who are willing to leave their homes, families, and all that man holds dear, and sacrifice their present and future as a matter of duty.

Four companies of the regiment are insufficiently armed (as to quantity) with a serviceable rifle musket; the other four with the old musket,

which is not a safe or serviceable arm, and requiring a different cartridge from the first, which would make confusion in the distribution of ammunition.

Two companies are without uniforms, having worn them out, and were proposing to have new the ensuing spring. Six companies and the band have company uniforms of different colors and styles, but insufficient in numbers, and which are entirely unfit for actual service, from the fact that they are made of fine cloth, more for show and the attractive appearance of the company on parade than any other purpose, being cut tight to the form and in fashionable style.

I would (after being properly armed and equipped) suggest our actual necessary wants, viz., a cap, frock coat, pantaloons, boots, overcoat, knapsack, and blanket to each man, of heavy, serviceable material, cut sufficiently loose and made strongly, to stand the necessities of the service. Such is our position, and I think it is a fair representation of the condition of most of the troops in the State. Their health and their efficiency depend greatly upon their comfort.

My command is not able pecuniarily to put themselves in the necessary condition, and should they, as a matter of right and justice, be asked so to do, even were they able? What is the cost in money to the State of Massachusetts, when compared to the sacrifices we are called upon to make?

Respectfully,

EDWARD F. JONES,

*Colonel Sixth Regiment.*

P. S. I would also suggest that it would require from ten to fourteen days as the shortest possible time within which my command could be put in marching order.

The adjutant-general at once by telegraph asked for proposals to furnish cloth for two thousand overcoats, and it fell to the lot of a Lowell corporation — the Middlesex Company — to have the means of furnishing this on the same 5th of February.

The outfits of these men were prepared with the utmost diligence.

The South evidently desired to gain time, as it was not in any readiness to make an attack on Washington on the 4th of March. Floyd, who was Secretary of War under Buchanan, aided to make ready the Southern States, by ordering large quantities of arms to be sent South, both small arms and ordnance, and this was continued up to the time he left his office, on the 4th day of March.

Many of the Southern senators resigned earlier, but Floyd took care to hold on to his office, so as to be purveyor of military supplies of the United States to the South as long as he could.

As a means by which time was gained, the State of Virginia expressed a desire to meet her sister States in convention in Washington. This gathering was commonly called the "Peace Convention," and it resulted, of course, in nothing but talk (and some of it very foolish talk), and the desired delay. Ex-President John Tyler, of Virginia, had learned that the commandant at Fortress Monroe was mounting a heavy piece of ordnance on the ramparts, pointing overland, most of the ordnance being directed to the sea. Whereupon Tyler called the attention of the "Peace Convention," in a florid speech, to the fact that the United States was mounting a gun on Fortress Monroe, the muzzle of which pointed over "the sacred soil of Virginia."

On the same 5th of February, it was resolved by the Massachusetts legislature as follows: —

Whereas, Questions of grave moment have arisen touching the powers of the government and the relations between the different States of the Union; and,

Whereas, The State of Virginia has expressed a desire to meet her sister States in convention at Washington; therefore,

Resolved, That the Governor of this Commonwealth, by and with the advice and consent of the council, be and he hereby is, authorized to appoint seven persons as commissioners, to proceed to Washington to confer with the General Government, or with the separate States, or with any association of delegates from such States, and to report their doings to the legislature at its present session.

The resolution expressly declared that the acts of the commission should at all times be under the control and subject to the approval or rejection of the legislature.

This commission reported on the 25th of March that it had finished its work, the convention not having amounted to anything except to convince the unthinking that the whole trouble would end in smoke. There was no *emeute* or interference with Lincoln's trip to Washington and his inauguration, except that he was obliged to smuggle himself through in the night-time to escape assassination, travelling alone at an unusual hour, so that his passage through

Baltimore was not expected or known. As the South was not yet ready to march on Washington, and as Mr. Lincoln's inaugural address purposely under the advice of Seward left it wholly uncertain whether he would attempt to retake Forts Pickens and Moultrie, it became a very important question who should strike the first blow, and when and where it should be struck.

It was thought best to wait for the South to strike it at Sumter, where some three thousand armed men had been assembled, and batteries erected with which to defend Charleston and attack Sumter.

This state of things so far satisfied our legislature that war was neither near nor probable, that on the 10th day of April it repealed unanimously, so far as any roll call shows, the emergency appropriation, leaving only money enough to pay for the expenditures already incurred.

How well I remember the tone of the articles in the newspapers at this time, which accused me of a desire to feed the moths with overcoats, and praised my shrewdness in getting up the scare so as to get for the company in which I was a stockholder the contract for cloth to feed the insects.

On the 11th day of April, the legislature, having practically disarmed the Commonwealth (for its troops could not be moved without the expenditure of appropriated money), adjourned without delay, and went home in happiness, at the bright prospect of lasting peace.

Another event happened on that same 11th day of April, which showed how little the legislature of Massachusetts knew of the condition of the country, and of the determination of the South to make war. The rebels opened fire on Fort Sumter.

Gen. William Schouler, who was the first adjutant-general appointed by Governor Andrew, and who remained in that office during the war, published a book in 1869, entitled "The History of Massachusetts in the Civil War," in which he relates with great particularity, all that he claims was done in Massachusetts to prepare her to take her illustrious part in the contest, which was begun on the 11th of April, 1861. It is well known that an unfortunate variance of opinion occurred between Governor Andrew and myself, arising out of an offer of the services of myself and troops to

Governor Hicks, of Maryland, on the 21st day of April, 1861, when at the capital of Maryland, to put down a threatened negro insurrection. Of that I shall speak hereafter more at length. In consequence of this antagonism, Schouler makes no mention of any efforts of myself or my friend, Colonel Jones, to put the troops in perfect order, or to have anything done which would enable the Massachusetts troops to be first of all to get into the field.

The military correspondence of Governor Andrew was so manipulated, presumably after his death, as to extinguish, as far as possible, any memory of the poor services I had rendered, as above documentarily shown. When I became Governor of the Commonwealth, in 1883, I found in the executive office at the State House, several large volumes purporting to contain all the military correspondence of Governor Andrew, copied out in the best manner. Curiously enough, that copy begins on the 15th day of April, 1861, and omits all that passed between Governor Andrew and myself, and all that Governor Andrew had written to me or about me previously to my leaving for the field on the evening of the 18th of April. So that there appears no word in these copies that will give any information to anyone who should seek the history of what I did or tried to do before that date in aiding to prepare Massachusetts and her troops for the war.

Of course, Mr. Schouler *ex industria* omits all reference to me, except to state the fact that I was detailed as brigadier-general to command the brigade which first went to the war. I may be pardoned, therefore, in order that the truth of history may be set forth, for recalling attention to the documents which show what I had done, as well as to my statement of what I had done, because if as to the last my memory should have failed me, which I do not think possible, the documentary evidence is irreversible.

It appears, then, that upon the very first days of January, even before his inauguration, I reported the condition of things to Governor Andrew, and urged the necessity that our troops should be put in full readiness to march.

On the 19th of January, in my brigade, resolutions were passed tendering the services of my home regiment to Governor Andrew and the legislature.

On January 22 those resolutions were received by Governor Andrew, and immediately communicated to the legislature as being

received from my hands. On the 5th of February, the legislature appropriated one hundred thousand dollars to put the troops in readiness and provide for their transportation. This emergency bill was passed at a secret session, at which I was present to give information to the legislature.

On the same 5th of February the governor and council authorized the making of contracts to supply the troops with equipments and clothing.

So that it is a matter of history that I took part in all that was done to have Massachusetts ready for the war, and Schouler did all he could to have those facts forgotten.

On the 15th of April, Cameron, Secretary of War, sent a requisition by telegraph to Governor Andrew, to send forward at once fifteen hundred men, and in the course of the same day a formal request was received for two full regiments.

On that day I was trying a case before a court in Boston. As I sat at the trial table the order was placed in my hands, as brigadier-general, that the Sixth Regiment of my brigade should report at Faneuil Hall, on the morning of the 16th. That regiment was distributed over an extent of territory nearly forty miles square. After glancing over the order, I arose, and said to the presiding justice: —

"I am called to prepare troops to be sent to Washington, and I must ask the court to postpone this case."

This was immediately done, and I left the court house at quarter before five, in time to reach my headquarters at Lowell by the five o'clock train.

And that case, so continued, remains unfinished to this day.

Being well acquainted with Secretary Cameron, as we had been Democrats together in the former years, I telegraphed him through Senator Wilson, then chairman of the Committee on Military Affairs: —

> You have called for a brigade of Massachusetts troops; why not call for a brigadier-general and staff? I have some hope of being detailed.

During the night a requisition came to the governor for a brigadier-general, and I was notified by telegraph from Washington that such requisition had been made.

As will be seen by those who read these pages, I was fully acquainted with the financial condition of Massachusetts in regard

to its appropriations, and I knew that under the law no money in the treasury could be used for the purpose of moving troops, until appropriation could be made by the legislature, which had adjourned. While reflecting upon this in the train on my way to Boston next day, I observed in the same car with me James G. Carney, Esq., president of the Bank of Mutual Redemption, of Boston, who lived in Lowell, and was going down to his duties. I took a seat near him, and explained the situation, as I have above stated it, and asked him if it were not possible for his bank to allow the governor to draw upon it for money to a considerable amount in order to put the troops in motion; and if it could be done, I desired to take to the governor a letter making the tender. I also asked him if he would recommend my detail as brigadier-general. He assured me that he would see if the money could be tendered, and I took a carriage with him, and rode down to his bank. On our arrival, Mr. Carney wrote the following letter, which I carried to the governor:—

BANK OF MUTUAL REDEMPTION,
BOSTON, MASS., April 16, 1861.

HIS EXCELLENCY, JOHN A. ANDREW,
GOVERNOR:

*Sir:* — Supposing it to be not impossible that the sudden exigencies of the case may call for the use of more money than may be at the immediate command of the Treasurer of the Commonwealth, in the treasury, I write to offer to place to the credit of the State, the extreme amount the law now allows us to loan it, and remain,

Very respectfully,

Your ob. st.,

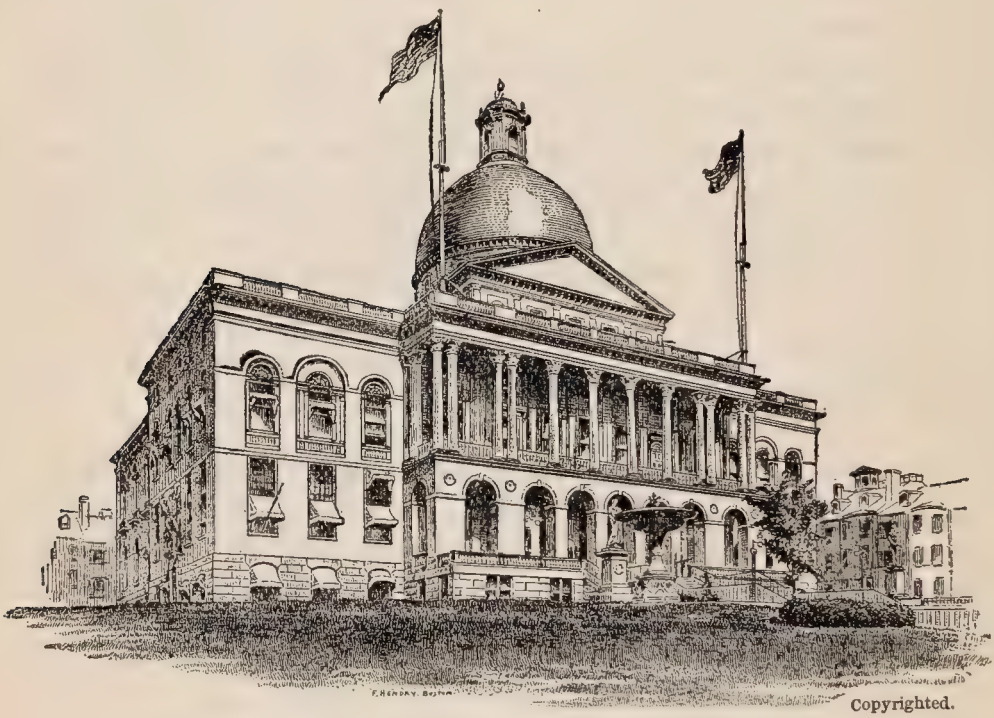
JAS. G. CARNEY, *Prest.*

Mr. Carney also said he would himself go around to the other banks, and see if they would not all make a like offer. He told me he did this, and the result was that there was more than three and a half million dollars to the credit of the Commonwealth, upon a draft of the governor, before night.

With President Carney's letter in my possession, I went to Governor Andrew, and asked him to detail me to command the troops that were to go to the seat of war. The governor received me very kindly and said: —

"General, there is a difficulty; we have two brigadier-generals in the militia who are your seniors, and one of them, General Peirce, is now outside, I suppose waiting to see me to ask for the detail."

"Well, Governor," I said, "you know Brigadier-General Peirce, and you know me. Isn't this a case where the officer should be appointed who is supposed to be most instructed in affairs with which he is to deal?"


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MASSACHUSETTS STATE HOUSE, BEACON HILL (BOSTON).

"I suppose I can detail any brigadier," said the governor.

"So do I," said I.

While this conversation was going on, the Treasurer of the Commonwealth, Gen. Henry K. Oliver, came into the governor's room, and after salutation, said: —

"Governor, as you requested, I have been examining the condition of the affairs of the treasury since the repeal of the emergency act, and I cannot find a single dollar appropriated for transporting these troops that you have ordered out, and other like expenses. You will have to call an extra session of the legislature, and that will delay matters very

considerably, and we understand by the telegram that there is great urgency for haste in getting troops to Washington." The governor said: "What shall we do?" Oliver answered: "We shall have to call a meeting of the legislature, and get an appropriation, but that will delay matters considerably. Perhaps we can use our current income."

"Governor," said I, "I was aware of this condition of things, and I can remedy it. Coming down in the cars, I saw President Carney of the Bank of Mutual Redemption, and he has authorized me to say that fifty thousand dollars of the funds of that bank is at the disposal of the Commonwealth, and that the other banks will answer drafts to that amount, and he recommends that I be selected as the brigadier to take command. Here is his letter."

Oliver said: —

"Well, Governor, as General Butler has found the means to go, I think he ought to go."

"I don't know but he had," said the governor; "I will take it into consideration."

I believed then that the matter the governor wanted to consider was whether it would do to send me, I having been the Breckenridge candidate against him at his election.

Later in the day I received the detail. With the leave of the governor, I established my headquarters in a room in the State House, and from that time the business of organizing and getting the troops ready to go forward was turned over to me.

Meanwhile, a direction came from Washington to send two regiments to Fortress Monroe, which was supposed to be threatened by the Confederates in Virginia. Indeed, a battery had then been commenced on the shore of Hampton Creek, opposite the fort, and a very curious letter was written to Colonel Dimmick, who was in command, which I saw afterwards, asking if the ladies of Hampton threw up a battery there, whether he would fire upon them while doing the work. That puzzled the gallant old colonel, as he told me, but he returned an answer in substance, that he could not allow anybody to erect a battery within the reach of the guns of Fortress Monroe, but that he would refer the matter to Washington.

Transportation being furnished by water for the troops, the Third and Fourth Regiments sailed, one on the 17th of April, and one on

the morning of the 18th. The latter regiment arrived at Fortress Monroe on the 20th.

It was agreed that Colonel Jones' regiment, strengthened by the addition of two companies, should march as soon as possible, and he took the cars on the night of the 17th of April. His route to New York was an ovation. His reception there was one of extravagant and tumultuous joy. By the invitation of Mr. Stetson, the host of the Astor House, his regiment was treated to a sumptuous breakfast, and at eleven o'clock, on the 18th, they took the cars for Philadelphia, arriving there at night. The authorities and citizens of Philadelphia encamped them at the Girard House. They were under orders to go to Washington via Baltimore, and not a word had been said to them or to anybody else, that the route through Baltimore was not open. The direct orders from the Secretary of War to Governor Andrew being that they should go through Baltimore, they left Philadelphia for Baltimore, arriving on the 19th.

I stayed behind to see that the other two regiments sailed for Fortress Monroe, and to finish all needed preparations, and to wait for the Eighth Regiment, under Col. Timothy Munroe, to get in readiness with equipments.

During the 18th of April, the utmost diligence was used. In the afternoon the regiment was paraded before the State House, where Governor Andrew made a very appropriate, patriotic, and brilliant address, to which I added a few words. While we were speaking to the soldiers, the tailors busied themselves in the rear of the regiment, sewing the buttons on the backs of the overcoats of the men.

There was still another reason for the delay of the day. The railroad company found it difficult to provide suitable cars, the weather being cold, sufficient to transport the regiment. It was then about nine hundred strong, and it was to have another company added to it when we reached Springfield,— that of Capt. Henry S. Briggs.

We left Boston at six o'clock, and were received everywhere on the route with loud plaudits, cheers, and the blessings of all the good people. We arrived at Springfield somewhere between nine and ten o'clock, where Captain Briggs' company, from Pittsfield, joined us. Here we were welcomed in the most friendly manner, and here, too, an incident occurred which gave me personally very

much pleasure. My old colleague in the Charleston convention, Mr. Chapin, the president of the Boston & Albany Railroad, a firm old Democrat, met me with great cordiality, thanking me for what I was doing, and offering to provide every facility for our transportation to New York. I remember he apologized to me for not having a sleeping-car at his disposal in which myself and officers could be accommodated. As it was, I tested early the discomforts of campaigning by sitting up in the cars all night.

We arrived in the morning at New York in good health, and the regiment accepted the invitation of Mr. Stetson to breakfast with him at the Astor House. Myself and staff accepted a like invitation from Mr. Paran Stevens, the landlord of the Fifth Avenue Hotel. There I first met Senator Baker, of Oregon, afterwards General Baker, and who was detailed to me at Fortress Monroe. As we stood together on the balcony of the hotel, my regiment passed by, cheering me very lustily. Baker, who had been in the Mexican War, turned to me and said: "All very well, General, for them to cheer you when they go out, but take care of them so that they will cheer you on their return."

We embarked at Jersey City about eleven o'clock in the forenoon, as soon as the trains could be prepared. There was a little delay there because the railroad people said they could not get cars to carry us without discommoding their passenger trains; and I said to the official that we must go whether the passenger trains went or not. With some hesitation he yielded to necessity.

We arrived at Philadelphia between four and five o'clock in the evening, and the regiment was quartered at the Girard House. Upon invitation of Mr. Stevens, myself and staff took quarters at the Continental.

As soon as I got to my hotel, the extras of the Philadelphia *Press* were brought to me, containing accounts of what was supposed to have happened to the Sixth Regiment in Baltimore. These were sufficiently distressing, because at first the telegrams were that the regiment, or a large portion of it, had been captured in Baltimore. If that were a fact, it was a question of duty whether I ought not to go through and rescue them. But later in the evening I got more reliable information, which I transmitted by telegraph to Governor Andrew.

While the attack upon the Sixth Regiment in its march through Baltimore was in fact of small moment, in view of the subsequent events of the war, yet it was an event that had so much effect upon the country and upon public sentiment that it is well enough that an authentic history of it should be preserved. I therefore give a condensed statement from an account of Colonel Jones, now lieutenant-governor of New York.

The Sixth arrived at Philadelphia on the afternoon of the 18th of April, and was bivouacked at the Girard House. The officer stationed there to furnish sustenance and means of transportation and further orders as to their proceeding, was so impressed with fear that the troops would be assaulted if they should attempt to pass through Baltimore that he declined to take the responsibility of ordering Colonel Jones to proceed, and left him to determine the question. Jones at once said that his orders were to get to Washington as soon as possible, and that he must therefore proceed at once, if transportation could be procured. Thereupon General Davis warmly shook the colonel's hand and replied: "While I won't give you the order to go, yet if you go I will go with you," and he did.

Jones then applied to Felton, the president of the Wilmington & Baltimore Railroad, who advised the colonel that it would be better not to go through Baltimore in the night time, as he was quite certain from reports that his march would be opposed, but to take the train very early in the morning. Jones then said to Felton: "I am willing to lose as many men as necessary in conflict, but I don't want them murdered in a railroad accident. Will the railroad therefore see that the bridges are guarded, the road watched, and a pilot engine run a short distance ahead of us, the train running at a slow speed?" To this Felton assented.

Soon after midnight Jones embarked his men on a train of ten cars and started. Nothing occurred until the train passed the ferry at Havre de Grace, about two or three hours from Baltimore. Jones then went through each car and gave distinct orders to the men, telling them that they might be assaulted in Baltimore, but whatever was done to them either by abuse or by missiles thrown, they should not fire until they were fired upon, and then only at the command of an officer, and to take their aim at the men actually firing.

At that time the cars were hauled through Baltimore by horses. But it had been arranged between the colonel and the railroad




Wheeling into 15th St. from Pennsylvania Ave.

GRAND PARADE. REVIEW OF THE UNION ARMI

From James E




SHINGTON, D. C., AT THE CLOSE OF THE WAR. May 23 and 24, 1865.

Paintings.

officials that his regiment should march by the shortest route through the city from the station at which the train entered to the Camden station, as the railroad could not undertake to carry them through in the cars.

Owing to the early hour at which the arrival at Baltimore would take place, and to the fact that telegraphic communications showed that there was no mob then in waiting, the railroad officials changed their purpose and concluded to take the regiment through in the cars, but did not inform Colonel Jones of that change of plan. When the cars stopped the colonel jumped from the first car for the purpose of re-forming the regiment. It had been in due order in the train, but had been disordered by the shifting of the cars at the ferry.

Instantly upon the stopping of the train the horses had been hitched on to the first car, and it started on. Horses were then hitched to the next car, and so on to the third, when the colonel was told of this change in the mode of transportation. Thereupon he sprang upon the next car going and went on, there being no appearance of any special difficulty at that time. With great despatch seven of the cars were drawn through to the Camden station without detention. The three later cars were opposed on Pratt Street by a mob which had gathered there, and the cars were prevented from proceeding further.

Thereupon the troops disembarked and commenced their march in columns of sections. They were immediately assailed, at first with every sort of verbal abuse, then smaller missiles were thrown and then larger ones. The troops marched steadily forward. At length some pistol shots were fired, and then other shots, and one man in the front section fell dead. Thereupon the officer in command gave the order to fire. Then, when the way was partially cleared, the movement was increased to quick step.

Up to this time the mob evidently thought that the troops had no pistols and no ammunition in their guns. The firing finally became general. Six of our men were killed and thirty were wounded. The band, which was in the rear, had been cut off when the troops arrived at Camden station.

The first intimation that Colonel Jones received of trouble of any sort was by a man reporting to a government official who stood beside him, that there was trouble with the troops. The next

report was that the troops were firing upon the citizens; and immediately the head of the attacked column appeared at the station. The first inclination in Colonel Jones' mind was to form his men and march out into the square adjoining the station, which was now filled with an infuriated mob, and avenge his soldiers. When he disclosed that intention to the railroad men, they besought him in the most anxious terms, "For God's sake not to do that." That did not change his purpose; but at the same moment a telegram was put in his hand addressed to him from General Scott, in these words: —

Let there be no possible delay in your coming.

This to a soldier was an order; and whatever Colonel Jones' feelings or wishes may have been, he did not feel at liberty to disregard that order, especially as the master of transportation, a good, true, and loyal man, William P. Smith, said: "For God's sake, give the order for the cars to move; the mob is already trying to tear the tracks up in front of us. If you don't, no one of your men will leave here alive." Thereupon Colonel Jones gave the order.

The train started and went on a short distance. Then it stopped, and the conductor informed the colonel that he could take the train no further toward Washington. "Very well," said Colonel Jones, "I paid for being carried there and shall go, and I have men that can run your engine and train as well as you can." The conductor started the train once more, and there was no further interference with the progress of the troops, although Mr. Smith had information, as he said to Colonel Jones, that the rebels were attempting to blow up the viaduct at the Relay House.

When the regiment arrived in Washington President Lincoln met it at the depot. He shook Colonel Jones warmly by the hand, and said: "Thank God, you have come; for if you had not Washington would have been in the hands of the rebels before morning."

Colonel Jones was afterwards in command of the Relay House, where I left him after the taking of Baltimore. There he remained until his term of service expired. Then he re-enlisted his regiment, as we shall see, and served with me during the Campaign of the Gulf, where his personal services as a commander were of the highest order.

His political opponents have criticised him because he was in a place of safety at the time this riot was going on in Baltimore. He was where he should have been, at the head of his regiment, and he had no intimation that there was any more dangerous place than that until it was too late to act. No one not a newspaper editor or a stump orator who did not take part in the war ever questioned his conduct or his courage.

That night, Mr. S. M. Felton, the president of the Philadelphia, Wilmington & Baltimore Railroad, and Captain Dupont called upon me. From Mr. Felton's story, based on the telegrams he had received, we got a clear comprehension of the situation, and of the events substantially as they had occurred. We learned that the Sixth Regiment had passed through Baltimore on its way to Washington. It was believed it had arrived at Washington in safety, although no telegrams to that effect had come over the wires.

I learned also, that the mayor of Baltimore had got a promise from Mr. Felton by telegraph, that no more troops should be sent through Baltimore, and the further fact, that the Gunpowder Creeks bridges, which were very long trestle-works some miles from Baltimore, had been burned, so that no troops could be sent by rail. The question then arose, how should I get to Washington?

My orders were distinct that I should go through Baltimore; but under the circumstances I had no difficulty in disregarding them. In further conversation they told me that General Patterson had from General Scott some sort of military position in Philadelphia, but what it was they did not know. I inquired if they thought he would give me orders, and they said that they had consulted him, and he said he had no military control over me. If he had any military position under the United States, it was that of major-general, and I could not understand why he would not give me orders, because the Articles of War required that when troops of the United States met, whether regulars or militia, the senior officer should take command. They said that he would advise that I should go through Annapolis.

Captain Dupont and I consulted the map to see what the march would be. There was a branch railroad connecting with the Baltimore & Ohio Railroad down through Annapolis, but of course if my march was to be opposed, it would be impossible to make use of that, and

it would be a march of some thirty odd miles from Annapolis to Washington. The Philadelphia, Wilmington & Baltimore Railroad could send me to Perryville, on the northerly side of the Susquehanna River, opposite Havre de Grace, and the march from Havre de Grace was but a little longer than that from Annapolis. My regiment could be ferried across the Susquehanna on the steamer Maryland, the railroad ferry-boat between Perryville and Havre de Grace. But there was apprehension that the steamer had been seized, or would be before we could get there. To that it was answered by Captain Dupont that I could take boats from Philadelphia and go to Annapolis, so that I had the two routes open to me through Annapolis.

I inquired into the soundings of the harbor at Annapolis, and into all other matters pertaining to such movement. Then I suggested still another plan, which I finally adopted, with the full concurrence of Mr. Felton and Captain Dupont. It was this: Colonel Lefferts, with the New York Seventh Regiment, would be in Philadelphia in the morning. If he would co-operate with me, it would bring up our forces to about fifteen hundred men, and we could then march to Perryville, crossing the river perhaps at Havre de Grace, with force enough to meet any enemy that there could be in Maryland, although I was told that all Maryland had arisen as one man to oppose my march.

But I have never believed much in camp rumors.

If Lefferts did not co-operate, I still determined to march in the morning with my own regiment, seize the ferry-boat Maryland, and go to Annapolis, and hold the town with such aid as I could get from the Naval Academy, which could probably furnish me with provisions. The premises of the academy were surrounded on three sides by a heavy wall, and overlooked the water on the fourth, so that they could easily be protected with their guns. I believed I could hold Annapolis until reinforced by troops coming from the North by water, and I thought that to be, under the circumstances, the best plan to get relief to Washington.

Mr. Felton enthusiastically seconded me in both propositions. He said that he would put the Maryland at my disposal, and that he would have her provided with water and coal, if the enemy had not taken possession of her. She should take me to Annapolis, unless Lefferts went with me and we landed at Havre de Grace. Felton

tried to get these instructions to the commander of the steamer. But they failed to reach him, the telegraph wires being cut, for no train was to be sent over the Philadelphia, Wilmington & Baltimore Railroad to Perryville until my troops went.

I then sent out my brother, who accompanied me as a civilian, to purchase pick-axes and shovels and wood-axes for entrenching tools, and to obtain the proper camp kettles and other means for encamping the regiment, in case we had to march. All of these were made ready and taken with us.

It was three o'clock in the morning before the whole matter was determined upon. I then sat down and wrote hurriedly the following despatch to Governor Andrew: —

I have detailed Captain Devereux and Captain Briggs, with their commands, supplied with one day's rations and twenty rounds of ammunition, to take possession of the ferry-boat at Havre de Grace for the benefit of this expedition. This I have done with the concurrence of the present master of transportation. The Eighth Regiment will remain at quarters, that they may get a little solid rest after their fatiguing march. I have sent to know if the Seventh (New York) Regiment will go with me.

I propose to march myself at the hour of seven o'clock in the morning, to take the regular 3.15 o'clock train to Havre de Grace. The citizens of Baltimore, at a large meeting this evening, denounced the passage of northern troops. They have exacted a promise from the president of the Baltimore & Ohio Railroad not to send troops over that road through Baltimore, so that any attempt to throw troops into Baltimore entails a march of forty miles and an attack upon a city of two hundred thousand at the beginning of the march. The only way, therefore, of getting communication with Washington for troops from the North is over the Baltimore & Ohio railroad or marching from the West. Commander Dupont, at the navy yard, has given me instructions on the facts in accordance with these general statements upon which I rely. I have therefore thought I could rely upon these statements, and will undertake to proceed in marching order from Havre de Grace to Washington. My proposition is to join with Colonel Lefferts of the Seventh Regiment of New York. I propose to take the fifteen hundred troops to Annapolis, arriving there about four o'clock and occupying the capital of Maryland, and thus call the State to account for the death of Massachusetts men, my friends and neighbors. If Colonel Lefferts thinks it more in accordance with the

tenor of his instructions to wait rather than go through Baltimore, I still propose to march with this regiment. I propose to occupy the town, and hold it open as a means of communication. I have then but to advance by a forced march of thirty miles to reach the capital, in accordance with the orders I at first received, but which subsequent events, in my judgment, vary in their execution, believing from the telegraphs that there will be others in great numbers to aid me. Being accompanied by officers of more experience, who will be able to direct the affair, I think it will be accomplished. We have no light batteries. I have, therefore, telegraphed to Governor Andrew to have the Boston Light Battery put on shipboard at once to-night to help me in marching on Washington. In pursuance of this plan, I have detailed Captains Devereux and Briggs, with their commands, to hold the boat at Havre de Grace. At 11 A. M. Colonel Lefferts has refused to march with me. I go alone at three o'clock to execute this imperfect plan. If I succeed, success will justify me. If I fail, purity of intention will excuse want of judgment or rashness.

B. F. BUTLER.

I desire here and now to give Mr. S. M. Felton the highest praise for his loyalty, his energy, and his advice and hearty co-operation. Before I left him I said: "But, Mr. Felton, if we capture the Maryland, it may be necessary to burn her or sink her." He immediately gave me an order on her officer to do either.

Among the considerations which pressed upon my mind to determine me to make the attempt to hold Annapolis, and open the way to Washington, was the remembrance of a little bit of history: —

Washington had determined upon placing the capital where it now is. He had substantially laid out the plan which brought the capitol building, in the final location of it, close to the top of a slope which commands a view of the very large and substantially level ground east of the capitol where, by this plan, the city was to be built. But this level tract took in a large piece of the ground belonging to Mr. Carroll, and some belonging to the Custis family. On this account, Edmund Randolph, Washington's attorney-general, attacked him in a pamphlet, which was the mode of political warfare in those days. He urged that the location of the capital, and especially the plan of the city, was simply the result of nepotism on the part of the President, who desired to give great value by the




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location to the lands of his relatives, the Custises and Carrolls. Randolph proceeded further and said that there was no reason for its location there, military or other; that militarily Washington was a very bad point to be fortified or defended; that large ships could never get up into the eastern branch, where is now the navy yard, on account of the lowness of the tides, and if they could they would be easily stopped by small batteries erected by the people along the banks overlooking the shallow and crooked channels; that no commerce could come to Washington, and therefore there could be no other motive than a corrupt one to influence the President to place the capital where he did.

The attack was exceedingly coarse and severe. The man who acted as Washington's assistant engineer in laying out the city, and locating the public buildings, and more than possibly in advising the choice of the site, was Major L'Enfant, a very able French engineer. To the pamphlet of Randolph, a reply was made which was supposed to have been written by L'Enfant. With that reply, we have nothing to do here, except in regard to the naval and military situation of the capital.

Major L'Enfant upon these questions, replied in substance, that the person who wrote the pamphlet evidently was not a military man, and did not understand the views which led to the location of the capital. In the first place, the advantage of little depth of water of the Potomac River, its ease or difficulty of access, had nothing to do with the location of the capital. The port of Annapolis in Chesapeake Bay was the port and harbor of Washington, as Havre was of Paris, and it was situated about the same distance from the capital as Havre was from Paris. That while the port of Annapolis was held, the whole country would have access to Washington in a most certain and easy manner, especially for the conveyance of troops, as the great bays Delaware and Chesapeake were in precise and easy connection with it. Chesapeake Bay and Hampton Roads would protect the fleets of the world, and it was not thought desirable among military men, in looking at the defence of a capital, to have it situated close upon the shores of large open seas where it would always be at the mercy of naval attacks and raids of troops by water. The very difficulty of getting up the Potomac, and the ease with which war vessels could be prevented from ascending the

river, was one of the protections of Washington. Great numbers of troops, concluded Major L'Enfant, could readily be brought down the Susquehanna River, and landed anywhere upon its banks or in the bays, and so march to protect Washington.

I had read those pamphlets in earlier days, and now that I saw our means of access by railroad in the hands of hostile States, I was at once put in mind of the advantage of holding the port of Annapolis as the port and harbor of Washington. This would give the North, by means of its naval superiority, at all times the possibility of marching upon Washington, or marching for the purpose of carrying on war with the South. And thus my want of military experience was instructed in that regard by reading these two political pamphlets which are not taught at West Point, and probably had never been read by any West Point man then alive. And the knowledge thus derived determined me upon the proposition with which I set out as the last and best resort for defending Washington.

How much the Father of his Country was disturbed by the Randolph pamphlet will appear by a little anecdote which I beg leave to transcribe for the benefit of some of my younger readers if not most of the older ones: —

Mr. James Ross, of Pittsburg, was Washington's agent for the sale of his lands in Pennsylvania. He came to Philadelphia to settle his account, and sent word to the President that he would wait upon him at his pleasure, and was invited to breakfast with him the next morning. On arriving, he found all the ladies — the Custises, Lewises, Mrs. Washington, and others in the parlor, obviously in great alarm. Mr. Ross described them as gathered together in the middle of the room like a flock of partridges in a field when a hawk is in the neighborhood. Very soon the President entered and shook hands with Mr. Ross, but looked dark and lowering. They went in to breakfast, and after a little while the Secretary of War came in and said to Washington: "Have you seen Randolph's pamphlet?" "I have," said Washington, "and by the eternal God he is the damnedest liar on the face of the earth;" and as he spoke he brought his fist down upon the table with all his strength, and with a violence which made the cups and plates start from their places. Ross said he felt infinitely relieved; for he feared that

something in his own conduct had occasioned the blackness of the President's countenance.[1]

I did my very best to persuade Colonel Lefferts to go with me and make our march from Havre de Grace, or go with me to Annapolis. He was not to be persuaded, and in violation of the Articles of War, refused to be commanded. He was going to take a steamer and go up the Potomac to Washington, and I left him. He never suggested that he had any orders or instructions to go to Annapolis. His orders were to go through Baltimore, and if he could not go through Baltimore, he was to go around by sea to the mouth of the Potomac, and then up the Potomac to Washington.

I thereupon, at eleven o'clock in the forenoon, after having waited for three or four hours for him to make up his mind, embarked on board the train for Wilmington. I was told by Mr. Felton, who was the last man I shook hands with as I got on the train, and directed it to move, that he believed the steamer Maryland had been captured by Baltimore "roughs," as he expressed it. He advised me to take care not to be found on board the cars when I got in the neighborhood of the steamer. I thanked him and busied myself the first part of the way in preparing my regiment for action. I went through the cars, saw every man, examined his rifle, found it in good order, stood over him while he loaded it, and saw that it was all right. I then told all of them that when we got to Perryville, we expected to make an assault on the ferry-boat Maryland, and to take it away from the Confederates who had captured it; that it was to be done by an attack in columns of platoons; that we were to go on the boat at all hazards, whatever resistance was made, and that I would lead the column, as this undertaking was very important, and I chose to share the danger with them. I said that we probably should lose a considerable number of men, and that they had nothing to do but each in his own way to prepare himself for the event in the three or four hours that were left us. By calling on my secretary, all would be supplied with paper and envelopes to write letters to their friends, if they so desired, to be left with the conductor, who would return with the train after the assault.

When I got all through, I returned to the forward car. There a curious incident was in progress, which showed the disposition of

[1] The Republican Court; or, American Society in the Days of Washington, by Griswold; page 304.

our men. I found Captain Briggs, who was in command of the Pittsfield company, in what appeared to be an altercation with one of his men. Captain Briggs had possession of the man's rifle, and the man was crying between rage and indignation. The soldier was not of age.

"What is the matter, my man?" I asked.

"The captain has taken away my rifle," he replied, "and tells me I shall stay in the car with the baggage. Now, I don't want to stay with the baggage; I came here to fight, and the captain ought not to prevent it."

I turned to Captain Briggs and said: "What is your explanation of this?"

"Well," said he, "I want one man to stay with the baggage of my company, and I have chosen this young man because he is the least experienced man I have got, and I am going to take his rifle because I can do something with it. With this," pointing to his sword, "I can do nothing."

I told the man that he must obey the orders of the captain; that he was doing right, and that settled the matter.

We had about an hour and a half more before the train would stop some three quarters of a mile from the boat, and everything being done that I could do I sat down, not having had my clothes off since I left Boston, and, according to my habit, went to sleep, after cautioning the conductor to put the train to the highest speed she could make. I seemed hardly to have closed my eyes when the cry of "a man overboard" awakened me. The train stopped. I looked out of the window of the car, and saw that one of my men, who proved to be a sergeant, had stripped himself of everything but his trousers and shoes, and was going across the fields. He had jumped from the train when it was running at full speed, incurring more danger of death thereby than he would have done probably during the war, — certainly more than during his three months' service. Some of the men were off the car chasing him. Not willing to lose time, I ordered the bugle to sound recall for the men, and told three or four track-men that he had deserted, and that there was a reward of thirty dollars offered for him; that I was going to Annapolis, and if they would bring him to me there they should have the reward. That was the first information the men had as to where they were going.

After I had been at Annapolis three or four days, the man was brought in. He was a man of intelligence. The shock had been too much for him. I told him I could not allow him to serve in arms with the company, but if he chose to stay there and cook for them, and take care of them, and did well, I would not punish him further for the desertion. This he did, and afterwards showed himself to be a man whose only fault was that he had had his first fright.

When the train arrived within three quarters of a mile of the Maryland at Perryville, it was halted, and I detailed the Salem Zouaves, my best drilled company, to act as skirmishers, and threw them out on each side of the road into the forest. The regiment was then formed in platoons and we marched down without sound of drum until we got in sight of the boat, myself marching at their head.

A little incident which shows the civilian's idea of war occurred here. My brother came alongside me as we were marching down to the boat, and I observed that he had in his hand a heavy pick-axe handle.

"What in the world are you going to do with that?" I asked.

"Why," said he, "you expect to fight, don't you?"

"Yes."

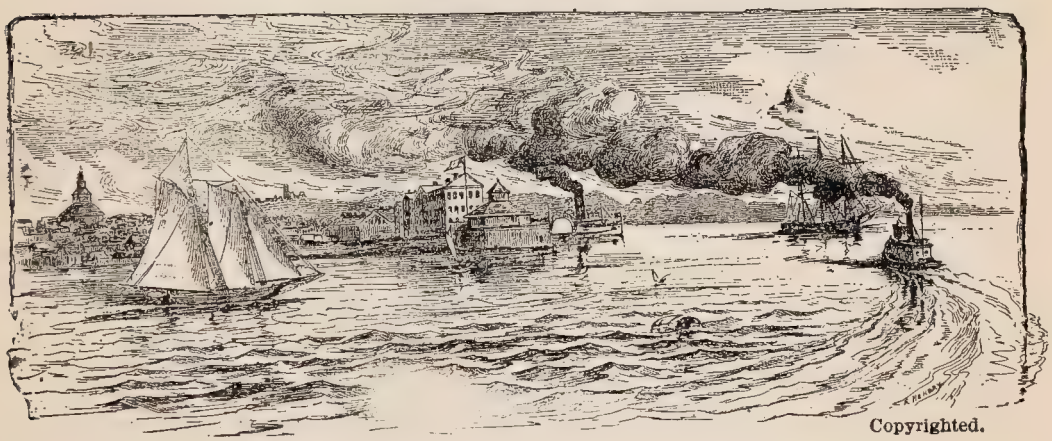
"Well, I shall go along; I know how to handle this weapon in a hand to hand fight, and can do more execution with it than with any other."

As he was a man six feet two in his stockings, and weighed one hundred and eighty pounds without being fleshy, I said to him: "I think you are quite right, come on;" and he stepped on board the ferry-boat with me.

But all this preparation was needless. There was nobody there but some of the officers and crew of the boat, the others having deserted. I found no preparations made, no coal on board, more than enough to cross the river, and the regiment went to work immediately to coal her. There were tracks on the upper deck for the transportation of cars. We put four cars loaded with coal upon those tracks; we could not stop to stow it. There was no water aboard for drinking, but we found at the landing quite a number of empty whiskey barrels, which we filled with good water and took with us. Three days' rations of chicken, turkey, and tongue, had been given us at the Continental Hotel, but

all that had been eaten on the march, as might have been expected of raw volunteers.

With this outfit we steamed for Annapolis. It was a fine night, although quite dark. We got into Annapolis Harbor and steamed up toward the wharf of the academy, where lay the good ship Constitution. As nobody knew that we were coming, we expected that the old town would be perfectly quiet and that we should take the people by surprise. But as it was, they took us by surprise, for as soon as we got fairly in sight the "assembly" was beaten, men were forming, the lights were glancing, the academy was all lighted up, and it was quite evident that we were expected. We came to anchor and lay quiet. No guns were fired and no attack made, and the men




ANNAPOLIS IN 1861.

were piled up on the deck so thickly that we could hardly pass among them without stepping upon them.

After thinking the matter over carefully, I concluded to send somebody on shore to find out what all this meant. I selected Capt. Peter Haggerty of my staff to take a letter from me to whoever was in command. Just as our yawl was putting off, my brother said to me: "I will go with him." Accordingly he stepped into the boat, and handing his revolver to the officer of the deck said: "Here, take this. I shall not capture Annapolis with this if I have it, and if they take me I don't want them to get a good revolver." In about an hour, as I stood at the gangway, I heard the sound of oars, apparently muffled. Directly I could see a boat with five people in it, four

rowing. When they got fairly within gunshot, I called out: "What boat is that?" "What steamer is that?" was the reply. The answer went back: "None of your business. Come alongside or I will fire into you."

A few strokes of the oar brought alongside the boat a young gentleman in the uniform of the United States navy. When he was fairly on deck two soldiers seized him and held him fast.

"Who are you, and what are you here for?" I asked.

"I am Lieutenant Matthews, sent by Commodore Blake, commandant of the Naval Academy, to learn what steamer this is."

"Very well, I can tell you that easily. But whether I shall allow you to communicate it to Captain Blake is another question. This is the steamer Maryland, which plies as a ferry-boat between Havre de Grace and Perryville. I am General Butler, of Massachusetts, and my troops here are Massachusetts men, and we propose landing here." I was thus careful, because I had heard that a great many of the naval officers had quit the service.

"I am rejoiced to hear it," said the young lieutenant, "and so will be Captain Blake. He is afraid that this boat holds a lot of Baltimore roughs who have come to capture the station."

"Very well," I said, "you must remain here. I have sent a boat ashore to Captain Blake, — you must have passed it somewhere, — with the information that he wants."

Just as day was breaking, Captain Haggerty came back with my brother and Commodore Blake. I invited the commodore to the quarter-deck where we could be alone, and told him who I was, and why I was there, and asked him what he desired. The old man burst into tears, and shed them like rain for a moment, and then broke out: —

"Thank God! thank God! Won't you save the Constitution?"

I did not know that he referred to the ship Constitution, and I answered: —

"Yes, that is just what I am here for."

"Are those your orders? Then the old ship is safe."

"I have no orders," said I; "I am carrying on war now on my own hook; I cut loose from my orders when I left Philadelphia. What do you want me to do to save the Constitution?"

"I want some sailor men," he answered, "for I have no sailors; I want to get her out, and get her afloat."

"Oh, well," said I, "I have plenty of sailor men from the town of Marblehead, where their fathers built the Constitution."

"Well," said he, "can you stop and help me?"

"I must stop," I replied. "I can go no further at present, and I propose to stop here and hold this town."

"Oh, well," said he, "you can do that as long as we can keep off any force by sea. This peninsula is connected with the mainland by a little neck not half a mile wide, and a small body of troops there posted, can hold off a large force. Now, General," he added, "won't you come over with me and take breakfast, and then we can talk of this matter wider."

I accepted his invitation, and after consultation with him, I assured myself that with my force I could hold the place for some time to come, at least long enough for reinforcements to get to me from the North, and thus against all the efforts possible to shut off troops from the capital. I then came to the conclusion to hold the town, and did so, and from that time forth Annapolis was in the hands of the Union side.

Early on the morning of Sunday the 21st, I breakfasted at headquarters with Commodore and Mrs. Blake, and their son, who was then an officer in the United States navy. After a breakfast eaten with a rapidity which astonished the accomplished wife of the commodore, I got the first glimpse of what a civil war meant. I was beginning to say something to Commodore Blake about getting the Constitution out of her dock. As I was speaking, I caught the eye of Mrs. Blake, and saw that I was saying something that I ought not to say. I changed the topic of conversation at once into a descant upon the peculiar toothsomeness of deviled hard-shelled crabs, which formed a considerable portion of my breakfast. Meanwhile Lieutenant Blake, the son, rose and went out, as did his father, leaving the lady and myself at the table. Then she remarked: "General, I observed that you took the hint I tried to give you to keep the conversation upon general topics, and I think it my duty now, however painful it is, to give you the reason. My son, I regret to say, sides with secession; and while I feel certain that nothing you could say would be communicated to the enemies of the country by him, yet we find lately that one cannot be too careful."

Here, where I found at the threshold a son arrayed against his father, both of whom must soon become deadly enemies, I was most forcibly impressed with a realization of what that contest in which I was taking part was to be.

Before I went ashore, Captain Haggerty, who, as I have said, had returned on board the steamer, gave me two notes which had been received, one from the governor of the State, and one from Lieutenant Miller, who was a quartermaster of the army at the post. The governor's note reads as follows: —

I would most earnestly advise that you do not land your men at Annapolis. The excitement here is very great, and I think it prudent that you should take your men elsewhere. I have telegraphed to the Secretary of War against your landing your men here.

This was addressed to the "Commander of the Volunteer Troops on Board the Steamer." The quartermaster, Capt. Morris J. Miller, wrote thus: —

Having been intrusted by General Scott with the arrangements for transporting your regiments hence to Washington, and it being impracticable to procure cars, I recommend that the troops remain on board the steamer until further orders can be received from General Scott.

This letter from Miller I knew was an entire romance on his part, and I suspected him of disloyalty. When I got into Washington I reported him to General Scott who relieved him, and another quartermaster was sent to me, a very efficient and loyal man, who did me great service.

To the governor I answered as follows: —

I had the honor to receive your note by the hands of Lieutenant Matthews, of the United States Naval School at Annapolis. I am sorry that your excellency should advise against my landing here. I am not provisioned for a long voyage. Finding the ordinary means of communication cut off by the burning of railroad bridges by a mob, I have been obliged to make this detour, and hope that your excellency will see, from the very necessity of the case, that there is no cause of excitement in the mind of any good citizen because of our being driven here by an extraordinary casualty. I should at once obey, however, an order from the Secretary of War.

Immediately after breakfast I detailed a company, the Salem Zouaves, Captain Devereux, the best drilled company I had, as guard on board the Constitution. I also detailed a company of Marbleheaders, who were fishermen, to help work the ship under the command of Lieutenant (afterwards Admiral) Rogers. He worked with a will, and I shall never forget my delight at his efficiency. He transferred all the upper deck guns and their carriages on board the Maryland, thus lightening the ship. We got up her anchors, which were several feet deep in the mud, and after very strenuous efforts on the part of all of us, the Constitution, attached to the Maryland, was worked around and down the bay into deep water. The Maryland on returning got hard and fast aground, and that closed the day of Sunday.

On Monday morning I went ashore at the academy, and received Governor Hicks at headquarters. He was accompanied by the mayor of Annapolis, and both of them exhorted me not to think of landing.

They said all Maryland was ready to rush to arms; that the enthusiasm of the people in Annapolis could not long be restrained, and that the railroad towards Washington had been torn up and was fully guarded. I replied that I certainly should land and go on through to Washington, but that I could not march then as I had no provisions. I said that I desired to purchase the provisions I needed, as Maryland was to be treated as a State which had not seceded. They then said that I could not buy an ounce of provisions in Annapolis. The mayor assured me that no patriot would sell to Yankee troops provisions with which to march to Washington. I replied that I had hoped better things than that from Annapolis, the city in which the only sign of life that I could see was the United States Naval School. The refusal to sell provisions and the objections to my landing were urged again and again.

At last being a little aroused, I said: "I suppose there are sufficient provisions in this capital of Maryland to feed a thousand men, and if the people will not sell those provisions, a thousand hungry, armed men have other means of getting what they want to eat besides buying it." They were obdurate, however, and we parted for the time.

Meanwhile Commodore Blake furnished me with such provisions as he could spare from the academy. But cooking their own rations

was not one of the exercises in which my men had been drilled; and when so many pounds of salt beef and hard bread were told out to them, and a few cords of wood distributed among them to cook the rations with, their condition of entire uncertainty as to what they could or would do was one of the most laughable incidents of the war. Further it shows the folly of the system of holding State encampments of militia regiments to prepare the men for duties in war, while permitting them to hire a caterer to furnish and cook their rations elsewhere, — a very ludicrous and useless performance. If a regiment of volunteer militia is put into camp, the men should have their camp utensils for cooking, and be taught how to cook and prepare their food. The militia regiments of to-day, if brought into the field now, would be as helpless about their food in camp as was the Eighth Regiment on the parade ground of the Naval Academy, in 1861.

A few days of the presence of our troops changed the minds of the governor and mayor, for within thirty days the mayor of Annapolis was an applicant for the place of post sutler. He did not get it from me, however. The governor changed the place of meeting of the legislature, which had been called to meet at that time in Annapolis, to Frederick, upon the ground that it was improper for it to meet in a city which was held by United States troops. Yet within fifteen days thereafterwards, he brought to me the great seal of the State of Maryland, and placed it in my safe keeping so that it could not be attached to an ordinance of secession, if the Maryland legislature should pass one. Thus I had another offer thrust upon me of the honors of which I could not boast, to wit, the keeper of the great seal.

On that same Monday morning, there came up the bay the steamer Boston, having on board the New York Seventh Regiment, which had been thirty-six hours coming from Philadelphia. Colonel Lefferts, their commander, had run down to the mouth of the Potomac River in pursuance of his declaration that he proposed to go to Washington by water. But it seemed that when he got to the light-ship he asked the secessionists, who were keepers of the light-ship, whether he had best go to the relief of the capital, and was told by them that there were batteries on the banks of the Potomac for the purpose of preventing the advance of troops. Having received such

authentic (?) information, he called a council of war, and it was voted not to be quite safe to go up the Potomac. It was thought best to come back to Annapolis and seek the aid and protection of the Massachusetts troops.

I supposed that the Articles of War were in force in New York and Annapolis, and known to the New York troops, as they were to the Massachusetts troops. I refer more particularly to the following paragraphs: —

The militia, when called into actual service of the United States for the suppression of rebellion against and resistance to the laws of the United States, shall be subject to the same rules and articles of war as the regular troops of the United States. (Rev. Stats. U. S., Sec. 1644; Feb. 28, 1795.)

If, upon marches, guards, or in quarters, different corps of the army happen to join or do duty together, the officer highest in rank of the line of the army, marine corps or militia, by commission, there on duty or in quarters, shall command the whole, and give orders for what is needful to the service, unless otherwise specially directed by the President, according to the nature of the case.

Finding this regiment joining me, I supposed it came under my command. At any rate, as will be seen hereafter, General Scott put it under my command very quickly when he heard of the trouble. At this time, however, I proceeded to take command, and thereupon issued the following order: —

At five o'clock A.M. the troops will be called by companies to be drilled in the manual of arms, especially in loading at will and firing by file, and in the use of the bayonet, and these specialties will be observed in all subsequent drills in the manual. Such drills will continue until seven o'clock. Then all the arms may be stacked upon the upper deck, great care being taken to instruct the men as to the mode of stacking their arms, so that a firm stack, not easily overturned, shall be made. Being obliged to drill at times with the weapons loaded, great damage may be done by the overturning of the stack and the discharge of a piece. This is important. Indeed, an accident has already occurred in the regiment from this cause, and although slight in its consequences, yet it warns us to increased diligence in this regard.

The purpose, which could only be hinted at in the orders of yesterday, has been accomplished. The frigate Constitution has lain for a long time

at this port substantially at the mercy of the armed mob which sometimes paralyzes the otherwise loyal State of Maryland. Deeds of daring, successful contests, and glorious victories had rendered Old Ironsides so conspicuous in the naval history of the country, that she was fitly chosen as the school in which to train the future officers of the navy to like heroic acts. It was given to Massachusetts and Essex County first to man her; it was reserved to Massachusetts to have the honor to retain her for the service of the Union and the laws. This is a sufficient triumph of right, a sufficient triumph for us. By this, the blood of our friends shed by the Baltimore mob is in so far avenged. The Eighth Regiment may hereafter cheer lustily upon all proper occasions, but never without orders. The old Constitution by their efforts, aided untiringly by the United States officers having her in charge, is now safely "possessed, occupied, and enjoyed" by the Government of the United States, and is safe from all her enemies.

We have been joined by the Seventh Regiment of New York, and together we propose peaceably, quietly, and civilly, unless opposed by some mob or other disorderly persons, to march to Washington in obedience to the requisition of the President of the United States; and if opposed, we shall march steadily forward.

My next order I hardly know how to express. I cannot assume that any of the citizen soldiery of Massachusetts or New York could, under any circumstances whatever, commit any outrages upon private property in a loyal and friendly State. But fearing that some improper person may have by stealth introduced himself among us, I deem it proper to state that any unauthorized interference with private property will be most signally punished, and full reparation therefor made to the injured party, to the full extent of my power and ability. In so doing, I but carry out the orders of the War Department. I should have done so without those orders.

Colonel Monroe will cause these orders to be read at the head of each company before we march. Colonel Lefferts' command not having been originally included in this order, he will be furnished with a copy for his instruction.

Colonel Lefferts reported to me at my headquarters on the grounds of the academy. As the steamer Maryland was hard and fast, and could not be floated until she was relieved of her troops, I asked him to allow the Boston to land the Seventh Regiment at the grounds of the Naval Academy, and then to land at the same place the Massachusetts Eighth. This was done, and the men of the regi-

ments fraternized, and the officers apparently, until after a consultation with Colonel Lefferts as to the best way of opening the road and marching to Washington. In this consultation I endeavored to impress upon him the necessity of immediate action. I was informed by him, however, that he had held a consultation with his officers, and had concluded to remain there until more reinforcements should arrive. I suggested that waiting there would only give the rebels outside further time to tear up the railroad, which I was assured was not then in a very bad condition, and could be repaired very quickly. I urged him, as I had in the meantime got news that the Fifth Massachusetts was coming very soon, to march out at once with his regiment, and lay out on the road and repair it. The difficulty as to provisions having been relieved so far as the Eighth was concerned, and no such difficulty existing in his own regiment, I impressed upon him as strongly as I could the necessity for marching at once. Meantime I had been reliably informed that this was the desire of some of the officers of the Seventh.

The trouble with Lefferts appeared to be that he had picked up somewhere a man who had once been at West Point, to accompany and cosset him in his command. Lefferts never called upon me without him, and he at times was somewhat officious, and not always too courteous. But I pardoned that on account of the color of his nose, and because I was not seeking difficulties.

I then got the acquiescence of Lefferts that I should address his officers on parade ground, at dress parade, on the necessity of an immediate march for the relief of Washington. I did so address them, and, I thought, got their assent; for, as I made my points they turned their eyes very steadfastly on Lefferts and his dry nurse. Some time after parade had been dismissed, Lefferts informed me that upon further consultation, his officers declined to march.

"Colonel Lefferts," said I, "war is not carried on in this way. A commander doesn't consult his regiment as to the propriety of obeying his orders; he must judge of what those orders should be. Now, by the Articles of War, I am in command, as brigadier-general of the United States militia, called into service, and actually in service. I take the responsibility of giving you an order to march, and shall expect it to be obeyed."

Here Red Nose lighted up and said: —

"General Butler, you don't appear to be aware that a general of United States militia has no right to command New York State troops."

"No, sir," said I, "I am not aware of that, and it is not the law. Have you got a copy of the Articles of War in your pocket?"

"No, sir."

"Have you examined them?"

"No, sir; but I was educated at West Point."

That was the first time in carrying on war, that West Point had ever interfered to render my movements abortive, but not the last time by a great deal, as we shall see hereafter. It stirred me then, as it always has stirred me since.

I turned to Lefferts and said: "What rank does this man hold in your command?"

"None at all."

"Well, then, I have nothing to do with him." And I asked Lefferts once again: "Will you march?" I spoke with considerable emphasis, and added: "I hope you won't refuse to obey my order."

Then Red Nose said: "Well, what will you do if the colonel refuses to march?"

"If he refuses to march, I certainly have this remedy: I will denounce him and his regiment as fit only to march down Broadway in gala dress to be grinned at by milliners' apprentices."

I then called an orderly and sent for Lieutenant-Colonel Hincks, of the Eighth Regiment, to report to me at once. It so happened that he was at the very door, and came in. I said: "Colonel Hincks, take two companies of the Eighth Regiment and march out two miles on the Elkton railroad towards Washington, and hold it against all comers until I reinforce you, if necessary, and report to me in the morning. Colonel Lefferts with his whole regiment is afraid to go, Colonel, but you will obey orders." Colonel Hincks bowed, and did obey orders instantly.

Red Nose then said: "Such language as that, General, requires reparation among officers and gentlemen."

"Oh, well," said I, "as far as Colonel Lefferts is concerned, I shall be entirely satisfied with him if he shows a disposition to fight anybody anywhere; let him begin on me. But as for you, if you interrupt this conversation again, and if you do not leave the room

instantly, I will direct my orderly to take you out. Good afternoon, Colonel Lefferts." And that was the last communication that I had in person with Colonel Lefferts of the Seventh New York.

The question has been asked me, "Would you have fought him if he had called upon you?" and I have answered that I thought I should have been justified in doing so, and probably should have done so. The rebels did not believe that we would fight at all, and it would have been a good example to show them that we would fight each other if nobody else.

All these circumstances were known to two gentlemen who were connected with the New York Seventh. One was Major Winthrop, one of the noblest of God's noblemen, and the other was Col. Schuyler Hamilton, who had been in the service of the United States in Mexico, where he distinguished himself for gallantry and conduct, and was made military secretary to General Scott while in Mexico. Both Winthrop and Hamilton were then acting as privates in the New York Seventh, and Winthrop had enlisted for the time only which the Seventh had agreed to go to war. Hamilton was accepted by me as a volunteer aid on my staff, and I told Winthrop to serve out his time with the regiment, because those were the terms of his enlistment, and then to come to me wherever I was and I would give him a place on my staff. This I did thirty-two days later at Fortress Monroe, Virginia.

I at once mounted my horse, and marched with Hincks and his two companies outside of the grounds of the academy, to seize the railroad depot. All of the buildings but one were taken possession of without any opposition on the part of the keeper. I asked him what this particular one contained. He said: —

"Nothing."

I told him to give me the key. He replied that he did not have it.

"Where is it?"

"I don't know."

I ordered the doors to be forced, and they were driven in at once, and there was found therein a small, rusty, dismantled locomotive, portions of which had been removed in order to disable her. I turned to the men, who stood in line in front of the depot, and said: "Do any of you know anything about such a machine as this?"

Charles Homans, a private of Company E, stepped forward and took a good look at the engine and replied: "That engine was made in our shop; I guess I can fit her up and run her."

"Go to work, and pick out some men to help you."

Homans at once began his work, and in a short time the missing parts were found, adjusted, and the engine was in usual repair.

I immediately made an order for the muster of a detail of all the men of the regiment who had ever had anything to do with laying railroad track, and some twenty men reported for duty. Lieutenant-Colonel Hincks, with whom we shall hereafter have to do as Major-General Hincks, made his reconnoissance two miles out on the road that night. Lefferts, up to three o'clock the next morning, had no intention of marching, because at that hour he sent out a messenger in an open boat for New York, bearing despatches asking for reinforcements and supplies. His message was that he had positive knowledge of four rebel regiments at the Junction,[1] where the grand attack was to be made upon the United States troops.

At sunrise, however, it appeared that the guard at the depot had not been massacred, and that the engine had been run out upon the road, where Colonel Hincks and his men were all found safe and awaiting orders to march. Then the officers of the Seventh Regiment concluded that the regiment ought to march, and it did march. So did the Eighth Massachusetts.

From that time forward the men of the two regiments worked together admirably. Nor was there the least fault to find, nor had there ever been, with the New York Seventh Regiment as a body of men. I met many of them then, and I have met many of them since the war, and I speak of them with that highest and fullest respect which I have always felt for them. But the whole difficulty was with their commander, who never went outside of the academy grounds, but kept within its closed walls, and had no communication with anybody, save with the secessionists. Nor, for the matter of that, had I, save with the loyal scholars at the academy, and their brave and noble officers, the noblest one of all being their highest officer, which, as we have seen, is not always the case.

[1] The junction of the Elkton Railroad with the Washington branch of the Baltimore & Ohio Railroad is about a dozen miles from Annapolis and about nineteen from Washington.

The social standing of the New York Seventh brought the cards of the leading secessionists to Lefferts, and the rebels filled his mind with the most terrible reports and stories of armed men, great bodies of troops, and a rising through all Maryland, which the United States would alone hardly have the power to overcome. I was not afflicted with such reports, because those who spread them did not call upon me except when I sent for them, and that was generally for the purposes of discipline; so that I did not get frightened, for I had not up to that time seen, nor did I ever afterwards see, any force of Maryland secessionists that could not have been overcome with a large yellow dog.

The march of the Eighth Massachusetts and Seventh New York is told in that beautiful story by Major Winthrop, which reads like a poem. I do not care to go into the detail of the incidents of the march, for the story of that first advance for the relief of Washington can never be better told. That the New York Seventh did no more was not the fault of the men, but their misfortune. Their habits of life no more fitted them for the hardships of war than for repairing a disabled locomotive or weighing the anchor of the good ship Constitution. While Winthrop was a member of the Seventh, and wished in his loyalty to give it all the credit to which it was fairly entitled, anyone who reads the report of that march will see that the hard working fishermen, mechanics, and laboring men of the Eighth Massachusetts must have done the larger portion of the work, and suffered the greater share of the hardships of the march. The regiment under the command of Lefferts, reached Washington and encamped there during its term of service. But its members never heard a hostile shot fired, and never fired one; and at the end of their short picnic excursion they marched back to New York, having suffered one great privation. When they marched from Annapolis it was necessarily in light marching order, so they left behind them a thousand velvet carpet-covered camp stools. Although frequent requisitions came for them to be sent forward while I was in command at Annapolis, forcing through troops from the North for the defence of the capital, I never had any vacant space in the cars into which those camp stools could be stowed in exclusion of recruits to be forwarded, and the loss of these camp-stools was a hardship which taught them all they learned of the horrors of war.

Let me be just: There were more officers taken from the enlisted men of that regiment afterwards during the war, who did their duty bravely and well so far as I know, than from any other regiment ever in the service of the United States. Their own history boasts that because of the social and influential position of the men composing the battalion there were taken from its numbers during the war six hundred and six officers. And as their force was only about eight hundred men, it appears that no more than two hundred of them served as privates only.[1]

As an illustration of the accuracy with which history is written, and especially in that book entitled "Abraham Lincoln, A History," I beg leave to quote from that work the following description of the entrance of the Seventh Regiment into the beleaguered capital, as showing its effect upon the despairing government: —

Promptly debarking and forming, the Seventh marched up Pennsylvania Avenue to the White House. As they passed up the magnificent street, with their well-formed ranks, their exact military step, their soldierly bearing, their gaily floating flags, and the inspiring music of their splendid regimental band, they seemed to sweep all thought of danger and all taint of treason out of that great national thoroughfare and out of every human heart in the federal city. The presence of this single regiment seemed to turn the scales of fate. Cheer upon cheer greeted them, windows were

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[1] After I had written this, and before I had revised the manuscript, the following letter was brought to my notice, which I use as an authority for my statements about the bravery of the officers, which I did not know of my own knowledge: —

NEW YORK, March 15, 1891.

MAJOR-GENERAL BENJ F. BUTLER,
Boston, Mass.:

*Sir:* — I have read Swinton's History of the New York Seventh Regiment, and from it I learn that the Seventh was a well drilled and equipped regiment in April, 1861. That during the Civil War they did not fire a shot at the enemy, were not in any battle, not once under fire, did not kill or wound any of the enemy, *and never trod on rebel territory.*

In May, 1861, a portion of the regiment remained in camp in Washington while the others crossed the Long Bridge over the Potomac, and bivouacked one mile from the bridge. The next morning being Sunday, they formed in picturesque groups, and their chaplain preached to them. That afternoon they returned to their camp in Washington.

They call this "Our Campaign in Virginia." That part of Virginia was not rebel territory. For a few weeks in the summer of 1862 and 1863 they did garrison duty in Baltimore. They returned to New York in July, 1863, and did not leave here again during the war. Shortly after the war they caused to be erected in Central Park in this city, an expensive monument. On the pedestal is inscribed "In honor of fifty-eight members of the Seventh Regiment who died in defence of the Union." In their so-called roll of honor appear the names "of fifty-eight of our members killed in battle." The name of Robert G. Shaw is there. He was a private in the Seventh. He went to the front with a Massachusetts regiment, and afterwards was colonel of the Fifty-Fourth Massachusetts (colored) volunteers. He was killed while leading his regiment in the attack on Fort Wagner, S. C. The day he was killed the Seventh was in New York. The Seventh, having won no laurels, took one belonging to a regiment of negroes, and wear it as their own.

Hoping that you will find some portion of this letter interesting, I remain,

Respectfully yours,

* * *

280 BROADWAY, NEW YORK.

thrown up, houses opened, the population came forth upon the streets as for a holiday. It was an epoch in American history. For the first time, the combined spirit of power and liberty entered the nation's capital.

Yet the Sixth Massachusetts, passing through fire and blood, and bearing their wounded comrades with them, had come there several days before, guarding the lives of four hundred unarmed Pennsylvanians from the plug-ugly murderous mobs of Baltimore. The Eighth Massachusetts would have followed the Sixth on the next day if, as we have seen, they had not been obliged to wait and guard the New York Seventh to the capital.

I had scarcely dispatched the troops from Annapolis upon their way to Washington, when I was visited by Lieutenant-Colonel Keyes, who introduced himself to me as a member of General Scott's staff. He informed me that he had been sent to the governor of New York about recruiting troops; that he had done that business and was returning to Washington, and in the meantime he found the way through Baltimore blocked up and had come to Annapolis. Here, finding no "regular" officer in command, he deemed it his duty to take command. I said: "Have you any instructions from General Scott to so do?" He said he had not, but that it was proper that he should, and that he would do so. He stated that his orders from General Scott, when he sent him out, were such that it was his duty to do anything that he thought was for the service of the United States.

I had just finished one conflict upon my right to command at Annapolis, and I was waiting for a day or two when I could get communication with General Scott. My troops were then close upon the Junction, and would be, I hoped, in Washington the next day, and I was reluctant to have any trouble, as there was no hurry, and I was doing nothing but forwarding troops as fast as I could. I thereupon said: —

"Well, I suppose that you will need my services here to press forward these troops as fast as I can."

"Oh, yes; I only take command to see that everything is done right, owing to your inexperience."

"Very well," I said, "give me your orders in writing so that I can be sure exactly what I have got to do."

So he commenced giving me General Order No. 1, General Order No. 2, and I think he got up to about No. 4. I consulted with Colonel Hamilton about them, and he said: —

"Don't obey them; he has no right to give any such orders."

"Oh, well," I said, "I will take care of him."

Meantime I gathered them up, and as soon as I heard that the way was open between Annapolis and Washington, I put Hamilton on board the very first train to go to General Scott and explain Mr. Keyes' performances, and show him the orders. It took some time for Hamilton to get through, for he had other business, and meantime General Scott laid his hand upon him for his own private secretary after he had reported to me, so that I lost his services during the war, which would have been invaluable to me. But our friendship ever remains as bright as a chain of new molten gold.

While I was waiting for Hamilton to return, Lieutenant-Colonel Keyes, who didn't seem to have much to do except to issue a series of general orders which tended to show that he was at the helm, used to come into my office and give me instructions in the art of war, telling me how this thing ought to be done, and how that thing ought to be done, what I ought to do so, and what I ought not to do that way. He spent considerable time with me in such performances, and was not always careful to give me those instructions when I was alone, so that I appeared before visitors at headquarters to be receiving daily and minute tuition in my duties from this person, who took care to do much of that in the presence of any distinguished man who called upon me. As everybody who came from the North and East to Washington, had to pass through Annapolis, and had to come to my headquarters to get passes to go on the railroad, I seemed always in Keyes' keeping.

Late at night Colonel Hamilton reported from General Scott what he had been sent to ascertain. When Scott heard of Keyes' proceedings, he said: —

"What! Has Keyes been appointed Field Marshal? I had not heard of it. Why, nobody but a Field Marshal could have issued such orders as these, while I am Lieutenant-General, commanding the United States armies. Tell General Butler to order Field Marshal Keyes to report to me forthwith, and I will take care of him."

Armed with that power I went into the office the next morning. My first visitor was Senator Wilson, of Massachusetts, who had just arrived from the North, and who naturally had a little respect for my opinions, because we had acted together for a number of years politically. In a few moments Lieutenant-Colonel Keyes came in and was introduced to Senator Wilson, and Keyes took part in our conversation, which he soon turned to giving some instructions to me as to what was necessary to make a good officer in war. What those qualifications were I led him on to detail in full, listening with great gravity and apparent interest. At last I said to him: —

"Do you think of any other qualification beside those you have described to me and the senator here, which is necessary to make a good officer of the army?"

"No," said he, "I don't think of anything that I need to add."

"Well," I said, "Colonel, I think there is one thing more that is necessary, which you have not named, and which you evidently don't know anything about."

"Ah, General, what is that?"

"Brains! Colonel Keyes, brains! You haven't any, and you have bothered me here long enough. I have reported you to General Scott, and here is your order to report to him forthwith, and here is a pass for you to go, and if you don't go by the next train, I will send you under guard. Good-morning, sir."

And as long as General Scott had anything to do with the army, Colonel Keyes was not Field Marshal.

Among the orders that came to me from Scott, was one creating the military department of Annapolis. It read as follows: —

War Department,
Adjutant-General's Office, April 27, 1861.

A new military department to be called the Department of Annapolis, headquarters at that city, will include the country for twenty miles on each side of the railroad from Annapolis to the city of Washington, as far as Bladensburg, Maryland.

Brigadier-General B. F. Butler, Massachusetts Volunteers, is assigned to the command.

L. Thomas, *Adjutant-General.*

So I was again out of the shadow of West Point. There are one or two episodes which enlivened the routine of superintending the transportation of troops to Washington, which may not be uninteresting if made a part of this narrative. Governor Hicks had protested to me against the landing of my troops, and he had also protested to the President, to whom he made the amazing proposition that the national controversy between the North and South be submitted to the arbitration of Lord Lyons, the British Minister. Finding all his protests unavailing, and his proposal for arbitration rejected, and preparation being made to forward troops from Annapolis to Washington, he hit upon another equally remarkable obstacle to the defence of the national capital. He issued a proclamation calling upon the Maryland legislature to meet at Annapolis, on Friday, the 26th of April, for the purpose of taking action in that behalf. He then made a protest against my taking possession of the railroad, because it would prevent the members of the legislature from getting to Annapolis. His letter is as follows: —

EXECUTIVE CHAMBER,
ANNAPOLIS, FRIDAY, April 23, 1861.

*Dear Sir:* — Having by virtue of the power vested in me by the Constitution of Maryland, summoned the legislature of the State to assemble on Friday, the 26th inst., and Annapolis being the place in which, according to law, it must assemble, and having been creditably informed that you have taken military possession of the Annapolis & Elk Ridge Railroad, I deem it my duty to protest against this step; because, without at present assigning any other reason, I am informed that such occupation of said road will prevent the members of the legislature from reaching this city.

Very respectfully yours,

THOMAS H. HICKS.

To this letter I replied as follows: —

HEADQUARTERS U. S. MILITIA,
ANNAPOLIS, MD., April 23, 1861.

TO HIS EXCELLENCY, THOMAS H. HICKS, GOVERNOR OF MARYLAND:

You are creditably informed that I have taken possession of the Annapolis & Elk Ridge Railroad. It might have escaped your notice, but at the official meeting which was had between your excellency and the mayor of Annapolis, and the committee of the government, and myself,

as to the landing of my troops, it was expressly stated as a reason why I should not land, that my troops could not pass the railroad because the company had taken up the rails, and they were private property. It is difficult to see how it can be that if my troops could not pass over the railroad one way, members of the legislature could pass the other way. I have taken possession for the purpose of preventing the execution of the threats of the mob, as officially represented to me by the master of transportation of the railroad in this city, "that if my troops passed over the railroad, the railroad should be destroyed."

If the government of the State had taken possession of the road in any emergency, I should have long hesitated before entering upon it; but as I had the honor to inform your excellency in regard to another insurrection against the laws of Maryland, I am here armed to maintain those laws, if your excellency desires, and the peace of the United States, against all disorderly persons whomsoever. I am endeavoring to save and not to destroy; to obtain means of transportation, so that I can vacate the capital prior to the sitting of the legislature, and not be under the painful necessity of encumbering your beautiful city while the legislature is in session.

I have the honor to be, very respectfully,

Your excellency's obedient servant,

B. F. Butler,

*Brigadier-General.*

The result of this correspondence was that the governor ordered the legislature to convene at Frederick City instead of Annapolis.

Before my landing, the governor came to me with the announcement that he was informed that there was an intended rising of the negroes against the people of Annapolis, and that citizens were fleeing from their homes. His excellency was in a state of great excitement and fear, and I immediately wrote him the following letter: —

I did myself the honor in my communication of yesterday, wherein I asked permission to land on the soil of Maryland, to inform you that the portion of the militia under my command were armed only against disturbers of the peace of the State of Maryland and of the United States. I have understood within the last hour that some apprehension is entertained of an insurrection of the negro population of this neighborhood. I am anxious to convince all classes of persons that the forces under my command are not here in any way to interfere or countenance

an interference with the laws of the State. I, therefore, am ready to co-operate with your excellency in suppressing most promptly and efficiently any insurrection against the laws of the State of Maryland. I beg, therefore, that you announce publicly, that any portion of the forces under my command is at your excellency's disposal, to act immediately for the preservation of the peace of this community.

The effect of that offer was extremely beneficial. It brought back all the inhabitants who had fled. It allayed the fears that we were undertaking a servile war. It brought me at once into personal, friendly relations with Governor Hicks, who was not at heart a secessionist, but only a very timid and cautious man.

I informed him in a private, friendly conversation, that he must not recommend, in his message to the legislature, any discussion of the question of secession, and that if he did I should certainly proceed against him. He assured me that nothing was further from his wish or thought than secession, and that he would never permit the great seal of Maryland to be affixed to any such ordinance or give force and validity to it, if it were passed; and as a guarantee of his good faith in that regard, he placed the seal for safe keeping in my hands, and I so held it during the session of that legislature.

I also told him that if the legislature undertook with or without his recommendation to discuss an ordinance of secession, I should hold that to be an act of hostility to the United States, and should disperse that legislature, or, more properly speaking, would shut them up together where they might discuss it all the time, but without any correspondence or reporting to the outer world.

I had no one fitted to advise with upon this question until the late lamented General Devens came as its major with the Worcester (Mass.) battalion. I had sent to Washington all my Massachusetts troops, and very glad was I to see the major and his stalwart loyal Worcester men. Fearing the legislature would meet at Annapolis on Friday, I consulted with General Devens upon the question whether his men could be relied upon to carry out my orders faithfully in regard to the legislature. He assured me that while he had not examined into the question of the propriety or legality of any such action as dispersing or arresting the members of the legislature in the contingency mentioned, he had reported to me for orders, and he should obey any order that I gave, and his men would obey

any order that he gave, leaving the responsibility for giving them upon the commanding general.

The effect of this communication upon Governor Hicks, I have never doubted, was to have him order the meeting of the legislature at Frederick, the other capital. I also believed that the protest about seizing the railroad was to get an excuse for making that change of place of meeting without giving the true reason. I am convinced that from the hour of my announcement of my purpose to so use the troops in keeping the peace, Maryland was as firmly a loyal State as any in the Union, so that I congratulated myself on the good effect of my announcement to the people of that State that the United States troops, and especially the troops of anti-slavery Massachusetts, had not come to Maryland to inaugurate a servile war or to promote negro insurrection.

Imagine, if you can, my surprise, but not my grief or consternation, at what followed at home. We had no telegraphic communication with the outer world, save at Perryville, where a member of the governor's staff, Major Ames, was stationed to forward me all communications by messenger from the governor, and to receive from me and transmit home such as were committed to him. Postal communication had been shut off. Major Ames had faithfully communicated all that had taken place, and Governor Andrew felt called upon to reprimand me for what I had done on the slave question, upon which our people were as sensitive one way as the people of the South were the other.

Will the reader appreciate my position? I was a life-long Democrat, and but lately the Breckenridge candidate for governor, and held, therefore, slavery as a constitutional institution. I was in command of Massachusetts troops, eight tenths of whom were anti-slavery men. I had been reprimanded by my governor for refusing to aid slaves in attempting to recover their freedom, and, worse than that, for offering the services of those troops to prevent a negro insurrection. Many of the people of Massachusetts had almost deified John Brown for his raid into Virginia.

Till May 6 no mail brought me information as to the manner in which the matter was received or understood. But after that I could imagine the platforms and the press denouncing what I had believed to be the most patriotic act of my life. Added to the labor of preparing my defence, was the fact that under the orders of General

Scott, I was prepared to march to the Relay House, within eight miles of Baltimore, and hold that very important point against I did not know what force or under what circumstances.

What ought I to do; stand to what I had done if right, and defend it, or resign my commission and go home? This is what I did do. Here is the governor's letter of reprimand and my reply: —

COMMONWEALTH OF MASSACHUSETTS.

EXECUTIVE DEPARTMENT,
COUNCIL CHAMBER, BOSTON, April 25, '61.

*General:* — I have received through Major Ames a despatch transmitted from Perryville, detailing the proceedings at Annapolis from the time of your arrival off that port until the hour when Major Ames left you to return to Philadelphia. I wish to repeat the assurance of my entire satisfaction with the action you have taken with a single exception. If I rightly understood the telegraphic despatch, I think that your action in tendering to Governor Hicks the assistance of our Massachusetts troops to suppress a threatened servile insurrection among the hostile people of Maryland was unnecessary. I hope that the fuller despatches, which are on their way from you, may show the reasons why I should modify my opinion concerning that particular instance; but in general I think that the matter of servile insurrection among the community in arms against the Federal Union is no longer to be regarded by our troops in a political, but solely in a military, point of view, and is to be contemplated as one of the inherent weaknesses of the enemy, from the disastrous operations of which we are under no obligation of a military character to guard them, in order that they may be enabled to improve the security which our arms would afford, so as to prosecute with more energy their traitorous attacks upon a federal government. The mode in which such outbreaks are to be considered should depend entirely upon the loyalty or disloyalty of the community in which they occur; and, in the vicinity of Annapolis, I can on this occasion perceive no reason of military policy why a force summoned to the defence of the federal government, at this moment of all others, should be offered to be diverted from its immediate duty, to help rebels who stand with arms in their hands, obstructing its progress toward the city of Washington. I entertain no doubt that whenever we shall have an opportunity to interchange our views personally on this subject, we shall arrive at entire concordance of opinion.

Yours faithfully,

JOHN A. ANDREW.

Department of Annapolis.
Headquarters, Annapolis, May 9, 1861.

To His Excellency, John A. Andrew,
Governor and Commander-in-Chief:

*Sir:*— I have delayed replying to your excellency's despatch of the 25th of April, in my other despatches, because as it involved disapprobation of an act done, couched in the kindest language, I suppose the interests of the country could not suffer in the delay; and incessant labor up to the present moment has prevented me giving full consideration to the topic. Temporary illness which forbids bodily activity, gives me now a moment's pause.

The telegraph, with more than usual accuracy, has rightly informed your excellency that I had offered the services of the Massachusetts troops under my command to aid the authorities in Maryland in suppressing the threatened slave insurrection. Fortunately for us all, the rumor of such an outbreak was without a substantial foundation. Assuming, as your excellency does in your despatch, that I was carrying on military operations in an enemy's country when a war *a l'outrance* was to be waged, my act might be a matter of discussion. And in that view, acting in the light of the Baltimore murders, and the apparent hostile position of Maryland, your excellency might, without mature reflection, have come to the conclusion of disapprobation expressed in your despatch. But the facts, especially as now aided by their results, will entirely justify my act, and reinstate me in your excellency's good opinion.

True, I landed on the soil of Maryland against the formal protest of its governor and of the corporate authorities of Annapolis, and expecting opposition only from insurgents assembled in riotous contempt of the laws of the State. Before by letter, at the time of landing, by personal interview I had informed Governor Hicks that the soldiers of the Union, under my command, were armed only against the insurgents and disturbers of the peace of Maryland and of the United States. I received from Governor Hicks assurances of the loyalty of the State to the Union,— assurances which subsequent events have fully justified. The mayor of Annapolis also informed me that the city authorities would in no wise oppose me, but that I was in great danger from the excited and riotous crowds of Baltimore, pouring down upon me, and in numbers beyond the control of the police. I assured both the governor and the mayor that I had no fear of a Baltimore or other mob, and that, supported by the authorities of the State and city, I should suppress all hostile demonstrations against the laws of Maryland and the United States, and that I would protect both myself and the city of Annapolis from any disorderly

persons whatsoever. On the morning following my landing, I was informed that the city of Annapolis and environs were in danger from an insurrection of the slave population, in defiance of the laws of the State. What was I to do? I had promised to put down a white mob and to preserve and enforce the laws against that. Ought I to allow a black one any preference in the breach of the laws? I understood that I was armed against all infractions of the laws, whether by white or black, and upon that understanding I acted, certainly with promptness and efficiency; and your excellency's shadow of disapprobation, arising from a misunderstanding of the facts, has caused all the regret I have for that action. The question seemed to me to be neither military nor political, and was not to be so treated. It was simply a question of good faith and honesty of purpose. The benign effect of my course was instantly seen. The good but timid people of Annapolis, who had fled from their houses at our approach, immediately returned; business resumed its accustomed channels; quiet and order prevailed in the city; confidence took the place of distrust, friendship of enmity, brotherly kindness of sectional hate, and I believe to-day there is no city in the Union more loyal than the city of Annapolis. I think, therefore, I may safely point to the results for my justification. The vote of the neighboring county of Washington, a few days since, for its delegate to the legislature, wherein four thousand out of five thousand votes were thrown for a delegate favorable to the Union, is among the many happy fruits of firmness of purpose, efficiency of action, and integrity of mission. I believe, indeed, that it will not require a personal interchange of views, as suggested in your despatch, to bring our minds in accordance; a simple statement of the facts will suffice.

But I am to act hereafter, it may be, in an enemy's country, among a servile population, when the question may arise, as it has not yet arisen, as well in a moral and Christian as in a political and military point of view, What shall I do? Will your excellency bear with me a moment while this question is discussed?

I appreciate fully your excellency's suggestion as to the inherent weakness of the rebels, arising from the preponderance of their servile population. The question, then, is, In what manner shall we take advantage of that weakness? By allowing, and of course arming, that population to rise upon the defenceless women and children of the country, carrying rapine, arson, and murder — all the horrors of San Domingo a million times magnified — among those whom we hope to reunite with us as brethren, many of whom are already so, and all who are worth preserving will be, when this horrible madness shall have passed away or be threshed out of them? Would your excellency advise the troops

under my command to make war in person upon the defenceless women and children of any part of the Union, accompanied with brutalities too horrible to be named? You will say, "God forbid." If we may not do so in person, shall we arm others to do so over whom we can have no restraint, exercise no control, and who, when once they have tasted blood, may turn the very arms we put in their hands against ourselves, as a part of the oppressing white race? The reading of history, so familiar to your excellency, will tell you the bitterest cause of complaint which our fathers had against Great Britain in the War of the Revolution was the arming by the British Ministry of the red man with the tomahawk and the scalping knife against the women and children of the colonies, so that the phrase, "May we not use all the means which God and Nature have put in our power to subjugate the colonies?" has passed into a legend of infamy against the leader of that ministry who used it in Parliament. Shall history teach us in vain? Could we justify ourselves to ourselves? Although with arms in our hands amid the savage wildness of camp and field, we may have blunted many of the finer moral sensibilities in letting loose four millions of worse than savages upon the homes and hearths of the South. Can we be justified to the Christian community of Massachusetts? Would such a course be consonant with the teachings of our holy religion? I have a very decided opinion on the subject, and if anyone desires, as I know your excellency does not, this unhappy contest to be prosecuted in that manner, some instrument other than myself must be found to carry it on. I may not discuss the political bearings of this topic. When I went from under the shadow of my roof tree, I left all politics behind me, to be resumed only when every part of the Union is loyal to the flag, and the potency of the government through the ballot-box is established.

Passing the moral and Christian view, let us examine the subject as a military question. Is not that State already subjugated which requires the bayonets of those armed in opposition to its rulers, to preserve it from the horrors of a servile war? As the least experienced of military men, I would have no doubt of the entire subjugation of a State brought to that condition. When, therefore, — unless I am better advised, — any community in the United States who have met me in honorable warfare, or even in the prosecution of a rebellious war in an honorable manner, shall call upon me for protection against the nameless horrors of a servile insurrection, they shall have it, and from the moment that call is obeyed, I have no doubt we shall be friends and not enemies.

The possibilities that dishonorable means of defence are to be taken by the rebels against the government, I do not now contemplate. If, as has

been done in a single instance, my men are to be attacked by poison, or as in another, stricken down by the assassin's knife, and thus murdered, the community using such weapons may be required to be taught that it holds within its own border a more potent means for deadly purposes and indiscriminate slaughter than any which it can administer to us.

Trusting that these views may meet your excellency's approval, I have the honor to be,

Very respectfully, your obedient servant,

BENJ. F. BUTLER.

I have not one word, or one letter, to alter or change in the communication I then wrote. The only argument attempted to be set up against my position was by one of Governor Andrew's staff officers, that I had no right to use Massachusetts troops, which I was ordered to take directly to Washington, for the purpose of putting down a servile insurrection, entirely ignoring the fact that the servile insurrection was placed before me in a loyal State as a reason for opposing my being allowed to land in that loyal State. I was to be opposed in my march because the people of an always loyal State believed I was landing on its soil, not with the intent of going to the defence of the capital, but for the purpose of aiding their slaves in a servile war. That fear being withdrawn, neither my troops nor any other of the United States forces met the least opposition from the people of that State in their march to Washington.

The only notice that I took thereafter of this question was when it appeared that Governor Andrew had so dealt with his own letter that injurious comments were published in the newspapers upon this action and his reprimand, before I had made my reply to it. I published both letters in self-defence, — one such article issued in the New York *Tribune* of May 4, 1861.

## CHAPTER V.

### BALTIMORE AND FORTRESS MONROE.



I HAD nothing further to do with Annapolis or its concerns subsequent to the 5th of May. It was on that day I marched for the purpose of cutting off railroad passage between Harper's Ferry and Washington, for at Harper's Ferry a very considerable body of rebel troops was gathering for an attack on Washington.

It may be well to take a little time just here in doing what has not been done, namely, giving some account of the condition of things in Washington, as to the state of mind and action of the executive and military officers there.

In the winter of 1861, President Buchanan had thought it necessary to reorganize his cabinet, in whole or in part, in view of the threatened secession of the Southern States, as fears were entertained that there might be an early resort to arms in support of that secession. Consequently Lieutenant-General Scott, commanding the armies of the United States, was called to Washington to consult with the President, and to take charge of any military preparation that might be needed.

Rumors also were rife that the advent of Mr. Lincoln in Washington might be opposed and hindered in every way possible, and that there would be an open outbreak against his inauguration on the 4th of March. That probability was so serious that Scott advised that all the available troops of the United States army which could be spared from other posts of duty should be assembled at Washington. A considerable number were brought there, and by way of exhibiting to the country a state of preparation, Scott ordered a review and parade of all the troops assembled there, on the 22d of February.

Ex-President John Tyler, who had been elected Vice-President under Harrison, prevailed on President Buchanan to issue an order, late in the evening of the 21st of February, revoking the parade. This order was issued over the heads of General Scott and the new Secretary of War Holt. On the next day General Sickles persuaded the President to withdraw his order and permit the parade to take place. This was done so late in the afternoon that Scott's exhibit of his forces showed only two companies of the United States troops taking part in the procession on the 22d in honor of the birthday of the "Father of the Country."

Scott's attempt, therefore, to show the strength of his army, and so avert threatened danger to Lincoln, only resulted in showing its weakness.

The whole number of troops was insignificant enough, but thus by a trick the whole Southern people were made to believe that the United States army then in defence of Washington was scarcely more than a trifle. The reader will remember that this same Tyler was the delegate from Virginia in the Peace Convention who made a speech protesting against the mounting of cannon in Fortress Monroe, pointing over the "sacred soil of Virginia." The "Peace Congress," as we have seen, came to nought or worse.

With all Scott's loyalty and zeal he could get but a mere handful of troops into Washington. That he was both loyal and zealous is shown by his declaration to Douglas that he "had fought fifty years under the flag, and would fight for it, and under it, till death," which was to his high honor and glory.

The population of Washington was substantially secession, and much of it virulently so. Hundreds of clerks in the departments during this winter resigned their positions. Several thousand troops were assembling at Harper's Ferry, and two thousand more were below Washington near Fort Washington, one of the outer defences of the city. The rebels relied on the accession of large numbers from Baltimore, only thirty odd miles away by railroad.

The Sixth Regiment of my brigade arrived in Washington on the 19th of April, having been obstructed, and some of them murdered, in their passage through Baltimore.

From that hour Washington could get no reliable communication from any source; the wires had been cut, and the bridges of

the only road connecting with the North had been burned. This state of affairs continued until the 27th of April, when I opened the route through Annapolis.

The condition of mind of the President is described very graphically in the fourth volume, chapter V., of the "History" of Nicolay and Hay; but I beg leave to say wrongly described in this: a careful reading of that description would lead one to infer that Lincoln was in a state of abject fear. From a long and most intimate knowledge of him in times of danger and trouble, I desire to record my protest against any such inference. After the 22d of April, Washington was never in any danger of being captured for the next



MONTGOMERY, ALA., SHOWING STATE CAPITOL IN 1861.

From Sketch made in 1861.

two years, until Lee crossed the Potomac. Why it was not captured within ten days after Fort Sumter was fired upon has always since been a subject of careful consideration on my part, and a thing which I have been entirely unable to understand.

Davis must have known, and did know, that the firing on Sumter was as pronounced an act of war as was the battle of Gettysburg. Indeed, the Confederate Congress at Montgomery passed an act declaring war against the United States, and giving the power to its president to issue letters of marque, within two days after the 14th of April. On the 17th of April, Davis issued such proclamation. True, this act of the Confederate Congress was kept secret until the 6th day of May, for it was passed in secret session and the

seal of secrecy was not removed till then. That secrecy, however, has nothing to do with the question under consideration. The rebels knew it was war.

Davis had, around Charleston, four or five thousand troops, fully armed and equipped, who had been organizing and drilling, with Beauregard in command. Here was a disciplined army, and one larger than could be got together elsewhere in the United States in ten days. Anderson had but seventy-five artillery men in all.

Leaving five hundred men to watch Anderson's seventy-five and work their batteries against the fort, why did not Davis cut the telegraph wires connecting with Washington, put say four thousand of his troops in the cars, and in thirty-six hours at farthest, — passing through the State of North Carolina, whose governor had refused to furnish any troops at the call of Lincoln, and through Virginia, which then had a convention called to pass an ordinance of secession, which they did on the 17th of April, — march his rebel column across Long Bridge, where there were no forces to oppose him, and capture Washington ?

The temptation to do it must have been enormous and should have been controlling. The road was open, and he would have met no opposition. A large part of the officers of the regular troops then in Washington, as elsewhere, threw up their commissions then or soon afterwards. Lee, then relied upon by General Scott to command the Union forces, threw up his commission and took command of the rebel army of Virginia, on the 22d of April.

The prize to be won was gloriously magnificent. The capital of the nation, with its archives, its records and its treasure, and all of its executive organization, was there. He might not have captured the President and his secretaries, but their only safety would have been in flight to Philadelphia by sea, for they could not have got through the hostile city of Baltimore, except in disguise, as Lincoln came through that city to get to Washington before the 4th of March. There was no vessel by which to flee. The capture and occupation of Washington would almost have insured the Confederacy at once a place by recognition as a power among the nations of the earth.

The great hope and dependence of the Confederacy to bring the Rebellion to a favorable close lay in the recognition of its independ-

ence by one or more foreign states; and if one of the more considerable had so recognized the Confederacy as a power, and not an insurrectionary body simply, all the rest would have followed. As it was, it was with difficulty for months that such a thing was prevented. This lack of recognition was largely due to the diplomacy of Seward, sustained by the energetic exhibition of the enormous capacity and power in raising armies shown by the North, and to the fact that no signal success was achieved by the rebels.

I understand the diplomatic rule upon this subject held by the powers of Europe, is that when the capital of a country is taken and held by armed force, by an insurgent power, which has duly organized a government, the possession of that capital so taken is a ground upon which every nation may properly proceed to open diplomatic relations with the insurgent government so holding the capital; and further, if this insurgent government demonstrates ability to maintain itself, other nations ought to proceed to open diplomatic relations with it.

At any rate, if the Confederacy had made the capture by such a bold and brilliant dash, it would have been a disaster to our government of almost incalculable weight and potency. Maryland undoubtedly would have hastened to join the Confederacy in such a contingency. That would have transferred the line of battle from the Potomac to the Susquehanna. Very probably Delaware would have in that event joined the Confederacy, or at least have remained neutral, as her leading statesman, Senator Bayard, said that if the war could not be averted, and if his State preferred war to the peaceful separation of the States, he would cheerfully and gladly resign his seat in the Senate. As it was, however, gallant little Delaware remained always loyal and sent sixty odd per cent. of her military population — that is, white men between eighteen and forty-five years of age — to do good service in the Union army.

Jefferson Davis could have, and if I had been at his elbow, as he once desired that I should be, would have attended divine service in his own pew in the church at Washington as President of the Confederacy. I know not what prevented him save his education at West Point, where the necessity of a rapid movement in warlike operations is taught in the negative. That sort of instruction, as we shall see as we go on, caused several direful results in the move-

ments of both armies, more especially in the delay in the discharge of the mine at Petersburg, which caused the loss of some thousands of brave soldiers, and in the delays of Early, which lost him Washington in the summer of 1864.

Within a few days preceding Sunday, the 5th day of May, I was called to Washington upon two occasions, each of which fortuitously resulted in a consultation with General Scott.

On the first of these occasions I reached Washington quite early in the morning, and as I could not see General Scott until eleven o'clock, I called upon the Secretary of the Treasury, Mr. Chase, at his office in the department. I found him busily engaged in studying a map of Virginia in company with Major McDowell. Chase said to me :—

"Look here, General, I want your attention to this matter," pointing to the map. "Here is Manassas Junction, where there is the junction of the system of railroads which must bring the rebels together to make an attack upon Washington. I think that junction should be taken and held by us."

After studying the matter carefully for some little time, I said : —

"Yes, I think there is the spot which should be fortified and held in order to protect Washington. The Confederates are now assembled at Harper's Ferry. Their plan was to come down from Harper's Ferry to the Relay House and take Washington from that side; but as Maryland will not declare for secession I feel very sure the other point of which they will take possession will be Manassas Junction. They will not do that immediately, but will wait until the vote by the people is taken by Virginia to secede, which is fixed to be on the 23d. General Scott, being a Virginian, I know is very anxious not to move on her 'sacred soil' until after that vote. But the rebel government is now coming to Richmond as the capital of the Confederacy, so certain are they of the result of the vote of the people. If they can invade Virginia on their part, I do not see why we may not enter the State on the other. I think we should march to Manassas Junction. Six regiments will be enough to hold it. They could easily be spared from Washington, for they are there now only to defend Washington, and at Manassas Junction they would be defending her all the more surely. For no

rebel division will attempt to attack Washington with us behind them at Manassas Junction, cutting off their supplies and communications. Let us go there and form an intrenchment as a nucleus of a very much larger force."

Chase appeared impressed by my advice and suggestions and said they were his own, and asked me if I would walk over with him and see General Scott. I did so, and was called upon to explain the proposition to General Scott. But he bade it wait, as I supposed he would, and the movement was never made, although it was very earnestly pressed upon the President and Cabinet by Mr. Chase. Scott did not consent to have our armies cross the Potomac until the movement in which Ellsworth was killed, on the 24th of May, the day after the vote on the ordinance of secession. On that occasion we marched into Alexandria to take a position at Arlington Heights, within short cannon shot of Washington.

It may not be improper to state that I was sustained in my view of the importance of the occupation of Manassas Junction by the Committee on the Conduct of the War. That committee made a very full and stringent report upon the subject, in which it characterized the omission to seize Manassas Junction at this time as the great error of the campaign.

There would have been this advantage at any rate if we had intrenched ourselves at Manassas Junction: the disastrous battle of Bull Run would never have been fought.

My second interview with General Scott was, as I had occasion to remember, on the 3d of May, and at his request. He said he was desirous of holding the junction of the Washington branch of the Baltimore & Ohio Railroad with the main branch which led west up the Patapsco River to Harper's Ferry. This junction was at the Relay House, about eight miles from Baltimore and within my department. He stated that the rebels were gathering in considerable force at Harper's Ferry, and it might portend an attack upon the capital, and in that event they would use the railroad in transportation, having seized enough of the engines and cars to make that practicable. He desired to know if I knew anything of the topography of the country about that junction. I told him, I had a general acquaintance with it, having passed over it frequently. He asked me how many troops I thought would be

required to hold the place, taking into account the possibility of an attack from Baltimore. I told him that my belief was that it could be held with two good regiments and a battery of my light artillery.



FORTIFIED POSITION AT THE "RELAY HOUSE," ON B. & O. R. R.

He thought that I required a very small force, and I replied: —

"The railroad comes down for miles beside high cliffs, the water of the river running below. The viaduct crosses the Patapsco River opposite the junction, and can be commanded by artillery for a mile or more, the guns being posted on a small lunette at the head of the viaduct. In case of a threatened attack troops can be

brought from Washington in three hours, and we can, by picketing out on the road towards Harper's Ferry, ascertain any danger or an approach from that direction."

"When can you occupy it?" said he.

"If necessary, within twenty-four hours after I get the order at Annapolis. Indeed, I will agree, if you desire and will send me the Sixth Regiment, to be ready there for Sunday services at ten o'clock to-morrow."

"Very well, I will order Mansfield, the general commanding at Washington, to have the Massachusetts regiment sent from here in time to meet you."

"I will meet it at the junction, and send my battery across the country," I answered.

"Without an escort?" asked he.

"They won't need any more than a yellow dog anywhere in Maryland, as far as I have seen."

I bowed and left the presence.

We were at the Relay House at eleven o'clock the next morning.

Before three o'clock we had our camping-ground selected, tents pitched, the work commenced on our lunette, and two pieces of artillery covering the viaduct planted in position. I remained at that point just eight days, but it was always held so long as troops were necessary to guard that railroad.

We occupied ourselves in drilling and instructing our men, especially in guard and picket duty, in which they were most deficient. I spent my own time, when free from the routine of duty, in getting information from Baltimore of the state of things in that city. I soon found that it was utterly useless to take the reports of anybody who had no skill in estimating troops as to the number of men seen in a body. The most exaggerated statements were at first brought to me of the number of secessionists under arms in Baltimore. A company was always a regiment, and a light battery was always two hundred men. Reports were brought to me every day of large deposits of arms, ammunition, clothing, and equipments by the secessionists in Baltimore.

After three or four days, I became very anxious to learn what was the true state of affairs in Baltimore. I was quite sure there were no troops there, for I heard from many sources that troops

were marching from Baltimore to Harper's Ferry, which could not have been the case if Baltimore expected any attack upon her, provided there was any intention of making a stand against her capture.

I determined to have satisfactory and reliable information. Therefore, by ruse, the details of which are not necessary here, I sent a staff officer, Captain Haggerty, into Baltimore. There he remained for three days, examining into everything, seeing everybody, and learning exactly the military condition there, with an accuracy and intelligence entirely trustworthy.

I had reported to General Scott what military stores were in Baltimore from time to time. These reports were answered by my friend General Hamilton, his private secretary, with directions that when I thought it best I might capture these stores, and stop them from being sent to Harper's Ferry. Among the rest there was a large quantity of provisions reported as being prepared at a bakery in Baltimore for the support of the rebel troops at Harper's Ferry. I also informed General Scott I had ascertained that the limits of my department included Baltimore. In answer I received the following from Colonel Hamilton: —

> General Scott desires me to invite your attention to certain guilty parties in Baltimore, namely, those connected with the guns and military cloths seized by your troops [at the Relay House], as well as to the baker who furnished supplies of bread for Harper's Ferry. It is probable that you will find them, on inquiry, proper subjects for seizure and examination. He acknowledges your telegram of this morning, and is happy to find that Baltimore is within your department.

Now, I was very anxious to go into Baltimore. I had no doubt, from all I had learned, that a properly equipped and managed expedition could seize Federal Hill and hold the place. I wanted to go for another reason: I had promised my old comrades of the Sixth Regiment, with whom I had served for many years, that I would march them through Baltimore and revenge the cowardly attack made upon them on the 19th of April. I desired to keep that promise. I had these orders from General Scott to seize property, arms, ammunition, and provisions in Baltimore, and the places where the guilty parties were to be found were given me.

Now, how could I seize anybody or anything in Baltimore, unless I went where they were ?

Baltimore was in my military department, and in the absence of special orders to the contrary, I had as much right to go there as anywhere else if I chose, and surely there were no orders for me not to go into that city.

It is but fair for me to say that I had the strongest possible suspicion that if I asked General Scott for orders to occupy Baltimore he would refuse them, saying that men enough could not be spared from the defence of Washington to make the movement, and that he was waiting for more men. Now I believed and knew, and it so turned out, that it was comparatively as easy to capture Baltimore as it was to capture my supper. I knew it, but Scott did not. Was I not justified in acting upon my knowledge? I agree that the expedition was called hazardous by the know-nothings and timid ones, and it has been said it was undertaken in a spirit of "bravado," as say Messrs. Nicolay and Hay in their Life of Lincoln, and that it was so looked upon by all those who did not know what they were talking and writing about; but I did know.

After it was done I was very much praised and applauded in some quarters for my bravery, daring, and courage in making the expedition, all of which were well enough for newspaper paragraphs, but I did not deserve plaudits. The greatest amount of my daring was that I ventured to do it without asking Scott's leave, as it afterwards turned out. But I do claim some credit that by vigilance and industry in getting knowledge which I used to find out what I wanted to know, I was certain of the exact state of things. I had the courage to rely on my convictions, which insured success.

A Baltimorean by the name of Ross Winans, a gray-haired old man of more than three score and ten, a bitter rebel, and reputed to be worth $15,000,000, had made five thousand pikes of the John Brown pattern, to be used by the rebels at Baltimore to oppose the march of the United States troops. Some of these very pikes were used by the mob which attacked the Sixth Regiment on its march to Washington. He was also the builder of the Winans steam gun, a very much relied upon instrument of warfare or assassination, costing a very large sum which my troops had captured coming down from Frederick on the 10th day of May. I knew that he

was up at Frederick, some forty miles away, where the legislature was then in session, and was going to make a secession speech on Monday night, and I believed if we captured him and carried him to Annapolis, organizing a military commission and proving upon him his treasonable acts, especially if he were taken while encouraging armed rebellion in his speech, he would be a very proper specimen traitor to be hanged.

I had no doubt a military commission composed of the officers of the Sixth Regiment, whose comrades were shot down in Baltimore by a mob, some of whom carried the Winans pikes, would be very likely to find such facts as would enable it to advise the commanding general of the department, according to the rules of war, to hang Mr. Winans. I also thought that if such a man, worth $15,000,000, were hanged for treason, it would convince the people of Maryland, at least, that the expedition we were upon was no picnic excursion, and would show those disposed to join the rebel army, and especially the officers of the regular army who were throwing up their commissions, that we were engaged in suppressing a treasonable rebellion. And as my act in giving such an example could not be repudiated by the government unless it hanged me, I considered that the object in view was such as to justify the hazard of the experiment on my part.

Thereupon on Monday, I organized a train of cars, got my artillery ready to be loaded on platform cars, and put three covered cars at the head of the train. I headed it towards Harper's Ferry, so as to make it appear that an attack was to be made on that place. As the grade towards Harper's Ferry was very heavy I took care to have a second heavy engine at the rear of the train.

My attention had been called to two rather bright-looking young men, with fast trotting horses hitched to light wagons, who had come from the direction of the city of Baltimore to spend the day with us. I kept my own counsel carefully, and put a confidential staff officer at the telegraph office. At six o'clock I started my train of cars in the direction of Harper's Ferry with both engines working. As we started, one of my staff, whom I had sent to watch, observed these two young men start with their horses at a very fast gait for Baltimore.

This was called to my attention, and the officer said: "Why not arrest them? "

"Let them go," said I; "their business is to report at Baltimore. They will report that we have gone to Harper's Ferry, and that may cause their troops, if there are any, to go there too."

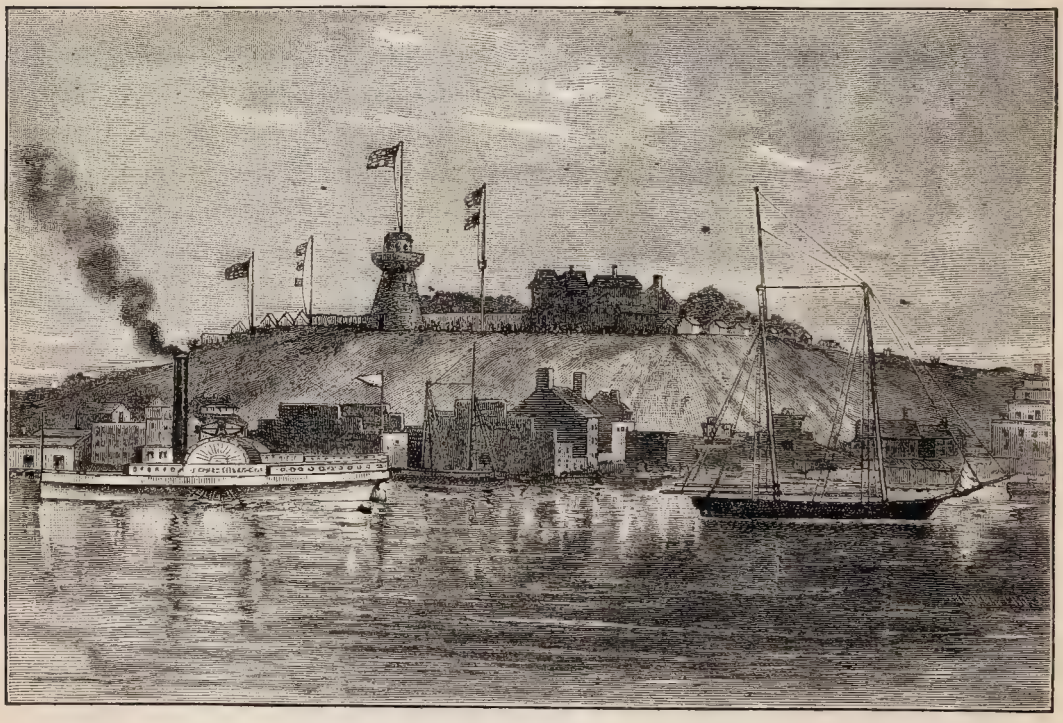
I chose the hour of six o'clock for departure, as, at the rate I intended to move, it would bring me at the station in Baltimore just at sunset, which was the hour I thought best fitted for me to arrive there, as darkness gathers very suddenly in that latitude after sunset.

When we had marched about two miles up the railroad we halted. In the two forward cars was a company of picked men of the Sixth Regiment, under the command of Lieutenant-Colonel Watson, with my military secretary, the late Richard S. Fay, acting as his aid. This company was detached to go to Frederick to arrest Ross Winans, and bring him down to the Relay House, and then by the shortest road to take him to Annapolis. All of this was done with promptness and despatch, and in the morning Mr. Winans found himself at my headquarters in Annapolis with sentinels before his door.

The remainder of the train with the troops then backed down past the Relay House toward Baltimore, and just at sunset we were at the Baltimore station. There was substantially nobody there, because the passenger and baggage trains had long ago ceased to run.

The orders which contained the first information that the troops had of their destination, and what was to be done, were distributed on the cars. These orders informed them of the manner of their line of march from the place of debarkation to Federal Hill, under a competent guide, and instructed them that they should take possession of it, and make necessary preparation to hold it; that the battery would be distributed in three sections, one in the centre, one in the rear of the first two companies, and one in the front of the last two companies; that no halt in the march should be made or any shot fired except to repel an attack; that no soldier should fire his musket without command; that if any shot were fired from any house by which any man was hurt, the column should halt, a detail should be put in that house, and the building fired, the column remaining, at least until it was fully burned, so as to protect its rear.

The column was formed and the march began. We had gone forward but a few rods when a most violent thunder-storm set in, with furious wind and gusts. The flashes were incessant, and the thunder rolled almost a continuous volley. At one moment the flashes of lightning would light up everything with an intense brilliancy, and in the tithe of a second the darkness was equally intense. In that storm nobody could hear us. In the darkness nobody could discern the column, and nobody knew that we were there.



FEDERAL HILL, BALTIMORE, MD.

From a Sketch made on day of occupation.

As I looked back from my horse, while the column slowly wound up the hill, the effect of the rolling thunder and playing lightning that made for an instant the point of every bayonet a glittering torch, was gloriously magnificent. The whole scene affords an excellent opportunity for verifying the descriptions of the newspaper reports published at the time of my entrance into the city. I quote the following from the Baltimore *Clipper* of the next morning, May 14, 1861: —

On the road to the hill the streets were crowded with people who greeted the military with cheers at every step, the ladies at the windows and doors joining in the applause by waving their handkerchiefs.

Statements so diametrically opposed, perhaps, should be verified on the one side or the other.

The next morning after our arrival, I received, on Federal Hill, the following note from the mayor of the city: —

I have just been informed that you have arrived at the Camden Station with a large body of troops under your command. As the sudden arrival of a force will create much surprise in the community, I beg to be informed whether you propose that it shall remain at the Camden Station, so that the police may be notified and proper precautions may be taken to prevent any disturbance of the peace.

I had marched through the settled part of Baltimore, and the police hadn't found it out. It was intended as a surprise.

Scouts were at once sent out with lanterns to examine the surroundings. To show how wet we were, let me say that the large cavalry boots which I had on were filled with water, and when my foot came upon the ground in dismounting, that water was dashed directly in my face.

As we came to the foot of the hill, a flash showed me a very large wood-yard beside the street. I immediately made a large detail and sent down to the yard. The men found carts, and soon built up very large fires of wood on different parts of the hill, and near the bivouacs of the troops. These fires were kept burning, and by them we had our quarters properly illuminated, and the men were enabled to dry and warm themselves, and make their coffee.

There was a little German tavern at the top of the hill, with a beer garden attached to it. I took possession of a room in it, and had a huge fire made there. Placing my despatch book so that the water would not run off me on to it, I at once wrote a despatch to Major Morris, of the United States army, in command of Fort McHenry, to which, before I had left Annapolis, I had sent as a reinforcement Major Devens with his battalion. I have no copy of that despatch, but it was in substance this: —

Major Morris, United States Army,
Commanding Fort McHenry :

I have taken possession of Baltimore. My troops are on Federal Hill, which I can hold with the aid of my artillery. If I am attacked to-night, please open upon Monument Square with your mortars. I will keep the hill fully lighted with fires during the night so that you may know where we are and not hit us. Major Devens will know my handwriting.

I found an intelligent German lad who said he knew very well the road to Fort McHenry, and one of my staff officers loaned him his horse to take the despatch. In a short time the messenger



Headquarters at Federal Hill, Baltimore, Md.

From a Sketch made on day of occupation.

returned with a note from the brave old major commanding the fort, stating that the order would be obeyed.

I had scarcely got my despatch away when Captain Farmer, of Lowell, who had been scouting on his own hook, reported to me with his lantern, saying : —

"General, I have been informed that this hill is mined and we shall all be blown up."

"Well, Captain," said I, "there will be one comfort in that; we shall at least get dry. But I will go with you and reconnoitre."

We went down under the hill and examined the place, and we found that the hill had been mined, and that a deep cave, which we explored, had been dug under it. When we got to the farther

end of it we found the utensils and other tools of the miners which showed that it had been mined — for the very peaceable and proper purpose of getting sand.

I returned to our quarters and got a supper of fried bacon and eggs, hard tack, a little soaked by the rain, and some very powerful Limburger cheese. One of the soldiers brought me his dish of coffee, which I preferred to the landlord's beer, because I desired to keep wide awake.

Perhaps it may not be uninteresting to know the strict accountability to which the officers of the army were held at that day.

I gave my quartermaster an order to get the wood. He gave his receipt for it to the owner and returned the wood so taken in his account. It was immediately charged to the commanding general, because it was more wood than the army regulations allowed to that number of men, and I was obliged to get a special approval of the Secretary of War before that account could be settled.

Desiring it to be understood by the inhabitants of Baltimore that I had come there to stay, I sat down, although somewhat tired, and wrote a proclamation setting forth the fact of my presence; that I held the city in capture; that I proposed to give every good citizen protection, and to deal properly with every enemy of the United States. In it I laid down rules and regulations for the military government of the city, and had it published in an extra issue of the *Clipper* the next forenoon.

The early morning train brought our camp equipments, and we soon had a settled encampment.

Immediately after breakfast the next morning, I received a call from the mayor and Marshal Kane, the chief of police and a leader of the secessionists. They inquired as to my intentions, and I pointed to the proclamation. I inquired of them whether there were any arms or ammunition or munitions of war concealed. Marshal Kane said that he knew of some, and would deliver them up. A large number, I think three thousand muskets, I knew he denied knowledge of. Many others I knew of. I sent a company under charge of Doctor Hare, of Philadelphia, the chemist, and had them all taken to Fort McHenry. I think Ross Winans' pikes were caused to be delivered by Marshal Kane at the same place.

I received the report of my secretary that Ross Winans had been captured, and was held in arrest. I also received notice that Reverdy Johnson, the rank and bitter secessionist, and worse than others because he concealed it, who was afterwards sent by Seward down to New Orleans, where I was in command, to interfere with my administration, was going to Washington to get Winans' release. How much of Winans' $15,000,000 it cost him, I do not know, but it should have been a very large sum, because he evidently relied upon its potency. He was released on Johnson's representations; and some months after, when it was found necessary by another commanding general to arrest him, he was again released and allowed to go abroad.

I endeavored to do my duty by him, however. Hearing that this application was to be made, I telegraphed the Secretary of War, Cameron, not to allow him to be released, at least not until I could be present and explain the depth of his guilt. But the release was by the order of the Secretary of State, and I was afterwards recalled from my command because the order would have had to pass through me as commanding-general, and it never would have got by me until it was signed by the President or the Secretary of War, because Seward had no authority or power in any such matter. I should not have obeyed that order any more than an order from him to arrest anybody, a thing he boasted he could have done by the "tinkling of his little bell."

On Sunday, not caring for another dinner of my Dutch friend's preparing, although he did as well as he could, and desiring to show the secessionists of Baltimore that I had them fully in hand, I mounted my horse, and, accompanied by three of my staff, and an orderly following, rode deliberately half through the city to Monument Square, and took dinner at the Gilmore House. After dinner one company of the Sixth Regiment from Lowell, feeling a little uneasy about their general, asked the commander on Federal Hill if they might march down into the city and escort him home as a matter of personal compliment, and he permitted that to be done.

Having been forty hours in the saddle and on the march, and not having removed my clothes, I felt that I had a right to take some sleep. I failed to get much, however, because necessarily

interrupted whenever any news came which might be of consequence, and camp rumors were very rife.

At half-past eight o'clock on the morning of the 15th, I had brought to me in bed a communication from General Scott, dated the 14th, which, if not appalling, was certainly amusing. It was in the following words: —

*Sir:* — Your hazardous occupation of Baltimore was made without my knowledge, and, of course, without my approbation. It is a godsend that it is without conflict of arms. It is also reported that you have sent a detachment to Frederick; but this is impossible. Not a word have I received from you as to either movement. Let me hear from you.

To a communication couched in that language I made no reply. He had known from the public press that the movement had been successful. Not only that, but what he claimed to be impossible, my sending a "detachment" of troops to Frederick, he knew had not only been devised but had actually been done successfully, as I had captured Ross Winans, the arch-traitor whom I had sent for, and had brought him and the troops back safely, — another "godsend" in my favor.

Knowing that I could hold Baltimore as easily as I could my hat, and knowing also that Scott knew all I could tell him, I thought I was not the "sir" to answer the communication of the commanding-general so addressed; and during the day I busied myself in taking charge of everything of warlike material in Baltimore.

On the evening of that day, I received another communication informing me that the President and Cabinet had concluded to promote me to the rank of major-general, the senior in service in the war.

I had reason to believe, and did believe, that although I was perfectly justified in doing what I had done by every rule of military law and right, and above all by my full success in so doing and holding the city, it would not be agreeable to Scott, and that he was, as I afterwards found him, in a furious rage about it. The reason of his anger was this: He had conceived a project of capturing all points around Washington, such as Baltimore and Harper's Ferry, by moving great bodies of troops as soon as he

thought he had enough to make a sufficient display for a lieutenant-general.

On the 29th of April, when he sent for me, he had sketched to me the following plan of attack on Baltimore : —

I suppose that a column from Washington of three thousand men, another from York of three thousand men, and a third from Perryville or Elkton, by land or water, or both, of three thousand men, and a fourth from Annapolis of three thousand men might suffice. But it may be, and many persons think it probable, that Baltimore, before we can get ready, will voluntarily re-open the communication through that city, and beyond, each way, for troops, army supplies, and travellers. When can we be ready for the movement on Baltimore on this side? Colonel Mansfield has satisfied me that we want at least ten thousand additional troops here to give security to the capital; and, as yet, we have less than ten thousand, including some very indifferent militia from the District. With that addition, we will be able, I think, to make the detachment for Baltimore. When can we be ready? Mansfield has satisfied me that we want at least ten thousand additional troops to give security to the capital.

Now, I had learned, and so I supposed had Scott, that Lee, having taken command of the Army of Northern Virginia on the 23d, had, by general order of that date, ordered his forces at Alexandria and along the Potomac to act on the defensive, and to go into camps of instruction and collect men and provisions; and what Mansfield wanted with ten thousand more troops to assure the safety of the capital for the immediate future, I could not conceive. I felt thoroughly satisfied that the only thing that could have prompted the waiting for this movement was to give time for Davis, who had ordered troops to gather at Harper's Ferry to defend Baltimore, so that then there might be a grand flourish. And with my usual folly in bowing down to "Fuss and Feathers," I made some suggestions in that direction, shaped so as not to offend my chief, with whom I desired to remain on good terms.

The plan of this meeting of twelve thousand troops in Baltimore went the round of military circles. To get some more troops to secure Washington, a movement was made on the 9th from Elkton to bring in from Perryville and elsewhere quite a large number of men. The plan was to land them at Locust Point, below Baltimore, under the cover of the guns of the navy, and march them

around Baltimore until they could step on to the Washington road. And this was done while I was at the Relay House, and went on immediately under my eyes. Now to have all this preparation upset and put in ridicule by a militia brigadier with a thousand men, naturally galled the lieutenant-general.

He had been a good soldier, was a pompous old man, magnified his office, and was a little irritable.

In my first dispatch to General Scott, after I reached the Relay House from Washington, I referred to my suggestion and concluded in the following words: —

> I find the people here exceedingly friendly, and I have no doubt that with my present force I could march through Baltimore. I am the more convinced of this because I learn that, for several days, many of the armed secessionists have left for Harper's Ferry, or have gone forth plundering the country. I trust my acts will meet your approbation, whatever you may think of my suggestions.

I did really think if I took Baltimore I should please Scott.

On the 15th of May General Cadwallader came to Baltimore with his three thousand troops, a part of Scott's twelve thousand that were to be used in order to get there, with the following order: —

> Washington, D. C., May 15, 1861.
>
> To Brevet Major-General Cadwallader,
> Or Commanding General of Baltimore:
>
> If Brevet Major-General Cadwallader be in Baltimore with regiments of Pennsylvanians, let him halt there with them and relieve Brigadier-General Butler in command of the Department of Annapolis, whereupon the brigadier will repair to Fortress Monroe and assume command of that important point.
>
> Winfield Scott.

This was before I had seen Scott. On the same day Cadwallader assumed command. As soon as relieved, I left Baltimore for Washington.

On the 16th of May, my commission as major-general was signed, and I was permitted to come to Washington to receive it and qualify under it. But before I got it I felt it my duty to call upon General Scott.

He received me curtly enough; and, as I stood at "attention" after I made my salute, without asking me to be seated, he broke upon me with words of angry vituperation and accusation of all sorts of wrong-doing about going into Baltimore, and of the great risk I had run. He said that I had thwarted his intention of taking it without shedding a drop of blood, and that I could be entrusted with nothing in the army again.

I waited, standing before him,—I hope not like a whipped cur,—until my patience, of which I have not too large a stock, was exhausted. I felt perfectly independent, because I had at that time come to the conclusion myself, and what was more, with the advice of my wife, to quit the army and quietly go home and attend to my profession and my family. I turned upon the old general and "gave him as good as he sent," in language not violent but distinct.

I took his despatch which he had sent me at Baltimore from my pocket, and said: —

"I have not answered this, because you did not know what you were writing about. You say my movement was a hazardous one. There was not the slightest hazard in it, and I knew it, for I had taken care to have actual information about what was going on in Baltimore, which, according to what you proposed, you did not have. Four days before, you let thirteen hundred men, including Sherman's regular battery and fifty regulars, sneak around Baltimore by Locust Point, instead of having them march through the city; and that was a concession, a yielding to the purposes of the secession mayor.

"You say you did not know anything about the movement, and therefore could not have approved it. You told me that it was not necessary that you should know beforehand about what I did in my Department of Annapolis,— and I was acting within the limits of my department.

"I had orders from you to go and get arms which had been sent from rebel Virginia to arm the rebels of Baltimore. How did you think I was to get them unless I went where they were? Your order itself told me the street and number in Baltimore where I should find munitions of war. I went and took them according to your order.

"You say it is a 'godsend' that it was without conflict of arms. That was what I came here for, as I understood it, and I was very anxious to have a conflict of arms in Baltimore in order to punish any mob that might turn out against me, for the murder of my fellow-townsmen and fellow-soldiers; and the only thing that disturbed me about the expedition was that I was not likely to have a chance for a fight with the murderous 'plug uglies' of that city. The whole thing was distressingly quiet.

"You say you heard I 'sent a detachment to Frederick, but that is impossible.' I learned that there was no force in Frederick to oppose a platoon, and I sent a company and captured the chief traitor, Ross Winans, who made pikes of the John Brown pattern for the mob to kill my soldiers with, and who made them after that pattern so that the rebels might say when they had the head of one of my townsmen on a pike, 'We have made you take your own medicine,' for John Brown's pikes were made in Massachusetts.

"I agree that I had not reported to you, and my apology is that there I had not a moment to spare, and I retired after forty hours' sleeplessness to get a little rest, only to be wakened to get this insulting despatch. What was the use of my reporting to you? I had been before you several times before, and I doubt whether you would keep awake long enough to listen to it. As you have no further command over me,— good morning, General," and I left him.

I did not call upon him again until he sent for me. I am not ashamed to confess I was so wrought up that upon my return to my quarters I threw myself on my lounge, and burst into a flood of tears. But while I was before Scott, I did not even wink.

Directly after this, I saw Mr. Cameron, the Secretary of War, and informed him that if I was no longer needed I intended to report home. He very kindly begged me not to do so. He said I would regret it if I did; that I had come into the service a leading Democrat, and others who were prominent Democrats had followed my example, and my action might tend to make the war a partisan one. I gave some little account of the scene that had taken place between Scott and myself. He said that being young I was capable of forgiving the outbursts of temper of a disappointed old man; and, further, that General Scott could not, because of his infirmities, long remain in command of the army.

I saw Mr. Chase, the Secretary of the Treasury, and I told him the same thing. With many expressions of personal friendship, he insisted that I should accept my promotion, and he said further that it was intended to put me in command of one of the most important departments of the United States, including Fortress Monroe and Norfolk, — the Department of Virginia and North Carolina.

On the 18th I got the following order from General Scott: —

*Sir:* — You will proceed to Fortress Monroe and assume the command of that post, when Colonel Dimmick will limit his command to the regular troops, composing a part of the garrison, but will, by himself and his officers, give such aid in the instruction of the volunteers as you may direct.

It is expected that you put yourself into free communication with the commander of the United States naval forces in Hampton Roads, and invite his cordial co-operation with you in all operations in whole or in part by water, and, no doubt, he will have received corresponding instruction from the Navy Department.

Boldness in execution is nearly always necessary, but in planning and fitting out expeditions or detachments, great circumspection is a virtue. In important cases, where time clearly permits, be sure to submit your plans and ask instructions from higher authority. Communicate with me often and fully on all matters important to the service.

I remain, with great respect,

Yours,

WINFIELD SCOTT.

Upon receipt of that I wrote the Secretary of War the following letter: —

BALTIMORE, May 18, 1861.

HON. SIMON CAMERON, SECRETARY OF WAR:

*Sir:* — I have just received an order from General Scott transferring the command of the Department of Annapolis to General Cadwallader, and ordering me to Fortress Monroe. What does this mean? Is it a censure upon my action? Is it because I have caused Winans to be arrested? Is it because of my proving successful in bringing Baltimore to subjection and quiet?

Cadwallader may release Winans, — probably will. You must guard against that.

If my services are no longer desired by the Department, I am quite content to be relieved altogether, but I will not be disgraced. In all I

have done, I have acted solely according to what I believed to be the wishes of the President, General Scott, and yourself.

I am not disposed to be troublesome to you, but I wish this matter might be laid before the President. To be relieved of the command of a department and sent to command a fort, without a word of comment, is something unusual at least, and I am so poor a soldier as not to understand it otherwise than in the light of a reproof.

At least, I desire a personal interview with you and with the President before I accept further service. This will be handed to you by my friend and aide-de-camp, R. S. Fay, Jr., who knows its contents, and is able to represent me fully to you.

Very truly yours,

BENJ. F. BUTLER,

*Brigadier-General Commanding.*

After I got to Fortress Monroe I waited from the 22d of May till the 4th day of June, when, the order not arriving making North Carolina a part of my department, I wrote General Scott as follows: —

HEADQUARTERS DEPARTMENT OF VIRGINIA,
FORTRESS MONROE, VA., June 4, 1861.

LIEUTENANT-GENERAL SCOTT, WASHINGTON, D. C.:

*General:* — I beg leave further to call the attention of the lieutenant-general to the fact that from some oversight, probably in the adjutant-general's office, the orders creating the Department of Virginia, North and South Carolina, which I understood were issued when I was in Washington, have not been published; at least, I have not seen them. May I ask the attention of Lieutenant-General Scott to this omission, which might prove embarrassing?

I have the honor to be most respectfully your obedient servant,

BENJ. F. BUTLER,

*Major-General Commanding.*

Later on in the 18th I called upon the President. I did not call upon Seward, because he had given an order for the release of Ross Winans. The President did me the honor to offer me the commission with his own hand. I said to him: —

"Mr. President, I doubt whether I ought to accept this commission; the withdrawal of myself and troops from Baltimore is a

reproach upon me for what I have done. I have a wife and children largely dependent upon me for their future happiness and station in life. I came here in the hope of doing some good for the country; I have tried my best and have been successful, and yet I am brought to see that the army is no place for me."

The President said very kindly and courteously :—

"Certainly, General, the administration has done everything to remove every thought of reproach upon you; and I wish very much that you would accept the commission."

"Well, Mr. President," said I, "will you allow me to go to my room and consult with the mother of my children before I finally decide?"

"Certainly," replied he; "you cannot do a better thing."

I took the commission and returned to my hotel. My wife, seeing that if I went home I should probably be unhappy and discontented, advised me to accept it. I returned to the President, and said to him:—

"I will accept the commission, with many thanks to you for your personal kindness. But there is one thing I must say to you, as we don't know each other: That as a Democrat I opposed your election, and did all I could for your opponent; but I shall do no political act, and loyally support your administration as long as I hold your commission; and when I find any act that I cannot support I shall bring the commission back at once, and return it to you."

"That is frank, that is fair," he broke out in his way. "But I want to add one thing: When you see me doing anything that for the good of the country ought not to be done, come and tell me so, and why you think so, and then perhaps you won't have any chance to resign your commission."

I said I certainly would avail myself of that privilege. Renewing my thanks I shook him by the hand, and from that day to the day of his death we were the warmest personal friends, and never differed but upon one matter of public policy, of which I shall speak hereafter.

To state that the capture of Baltimore was very loudly applauded by the loyal men of the country is saying no more than what is true. The only adverse comment upon it by any loyal

men which I have found is in the "History" which says: "It was loudly applauded by the impatient public opinion of the North which could ill comprehend the serious military risk involved." I beg pardon; there was no more "military risk" in what was done than was incurred by the rebels in Florida when Brevet-Colonel Hay, armed with "several blank books," was given by Lincoln a major's commission as assistant adjutant-general to go down to Florida to make it a loyal State. After his mission at that time failed for "lack of material," Colonel Hay was twice promoted, as brevet lieutenant-colonel and colonel of the United States army, and for a service that was without "military risk" to himself or to the rebels.

On the 20th of May, I received a message to call on General Scott for my orders as commander of the Department of Virginia and North Carolina. They had been carefully written out by the assistant adjutant-general, and I will transcribe some paragraphs because the instructions may be of use hereafter as models: —

> Besides the present garrison of Fortress Monroe, consisting of such companies of regular artillery, portions of two Massachusetts regiments of volunteers, and a regiment of Vermont volunteers, nine additional regiments of volunteers from New York may soon be expected there. Only a small portion, if any, of these can be conveniently quartered or encamped in the fort, the greater part, if not the whole area, of which will be necessary for exercises on the ground. The nine additional regiments must, therefore, be encamped in the best positions outside of and as near the fort as may be. For this purpose it is hoped that a pine forest north of the fort, near the bay, may be found to furnish the necessary ground and shade for some three thousand men, though somewhat distant from drinking and cooking water. This, as well as feed, it may be necessary to bring to the camp on wheels.

When I got there on the 22d the only four-footed animal I found there besides the cats, was a small mule which dragged the sling cart, into which were regularly emptied certain necessary vessels in order that their contents might be carried to the seashore.

My instructions were carefully curtailed so that I might make no more Baltimore expeditions: —

The quartermaster's department has been instructed to furnish the necessary vehicles, casks, and draft animals. The war garrison of Fortress Monroe, against a formidable army provided with an adequate siege train, is about twenty-five hundred men. You will soon have there, inside and out, near three times that many. Assuming fifteen hundred as a garrison adequate to resist any probable attack in the next six months, or, at least, for many days or weeks, you will consider the remainder of the force under your command as disposable for aggressive purposes and employ it accordingly.

In respect to more distant operations, you may expect specific instruction at a later date. In the meantime I will direct your attention to the following objects: 1st, Not to let the enemy erect batteries to annoy Fortress Monroe; 2d, To capture any batteries the enemy may have within a half day's march of you, and which may be reached by land; 3d, The same in respect to the enemy's batteries at or about Craney Island, though requiring water craft; and 4th, To menace and recapture the navy-yard at Gosport, in order to complete its destruction, with its contents, except what it may be practical to bring away in safety.

These instructions effectually precluded anything like reaching the enemy, as Norfolk, thirteen miles away, could be approached only by water. The entrance to the port of Norfolk through Elizabeth River was well covered by forts and batteries.

Meanwhile, before the New York regiments arrived, myself and staff proceeded to inspect the "pine forest." It was about two miles from the fort, on a narrow strip of land next to the beach, and between the sea and Miller's River, and could not possibly have been made a camp-ground for two thousand men. It was a part of the land ceded by Virginia to the United States. Upon inspection, I saw an objection to it as a camp-ground, which I chose to respect. The pine grove had been used as the burying-ground of the garrison. All of the soldiers and others who had died there for more than half a century were buried there, and it was thickly dotted with their graves.

In order to try the temper of my soldiers, I had the rumor circulated among them that the commanding-general thought of encamping the volunteers in the graveyard of the fort. Respectful protests to any such action came at once as thick as the leaves of

Vallombrosa. Colonel De Russey, chief engineer, also reported the spot to me as malarious and unhealthy.

When General Scott gave me the envelope containing my orders, he seemed to have entirely forgotten our late interview, and became quite companionable. He told me all about the fort, congratulated me upon my assignment to that position with my quarters in the fort, and gave me special congratulations, which while they were very kind in him were eminently characteristic.

"General," he said, "you are very fortunate to be assigned to duty at Fortress Monroe; it is just the season for soft-shelled crabs, and hog fish have just come in, and they are the most delicious pan fish you ever ate,"—as indeed I found them to be.

From that time I never had the least objectionable communication from General Scott.

We always met in the most friendly manner, and when he was retired from the army,—after McClellan had quarrelled with him, and abused him until he got the old general removed from his path to the chief command, and then wrote a very florid general order in his praise,—I felt it my duty to ask leave, as senior major-general, to attend, with other officers, as escort to his home.

I met him but once afterwards, and that was when I was in command in New York, in 1864. I took possession of the Hoffman House, where he had rooms, for my headquarters. I waited upon him and assured him that he should not be disturbed. At that time he gave me the history of his life in two volumes, subscribed with his own hand, "From the Oldest to the Youngest General in the United States Army."

I certainly had no cause to complain of the territorial extent of my jurisdiction. It was the geographical department of Virginia and North Carolina, and was subject to my military rule as far as I could possess myself of it, with headquarters at Fortress Monroe.

The fort was one of the strongest and best in the United States, and certainly the largest. It was a bastion fort about sixty-five acres in extent, with a water battery casemated on its sea front, and some guns mounted *en barbette*. Its ramps and ramparts were in good condition. Its only weak point as far as construction was

concerned was in its magazines, which had been made safe only on the sea front. In the rear they had been left in a very unsatisfactory condition, the constructing engineer never supposing that the fort could be assaulted or bombarded from the land side. As it was, if it were attacked by the rebels from that side, with mortars throwing a curved fire into the fort and against the walls of the inner ramparts, the magazines were wholly without protection. As the enemy had manifested some intention of erecting batteries on the land side, this condition of our ammunition was a serious anxiety; so our first work was to cover the magazines with bags filled with sand. That work was begun when I got there, but was never completed, because we very soon got beyond all fear of attack from the land side.

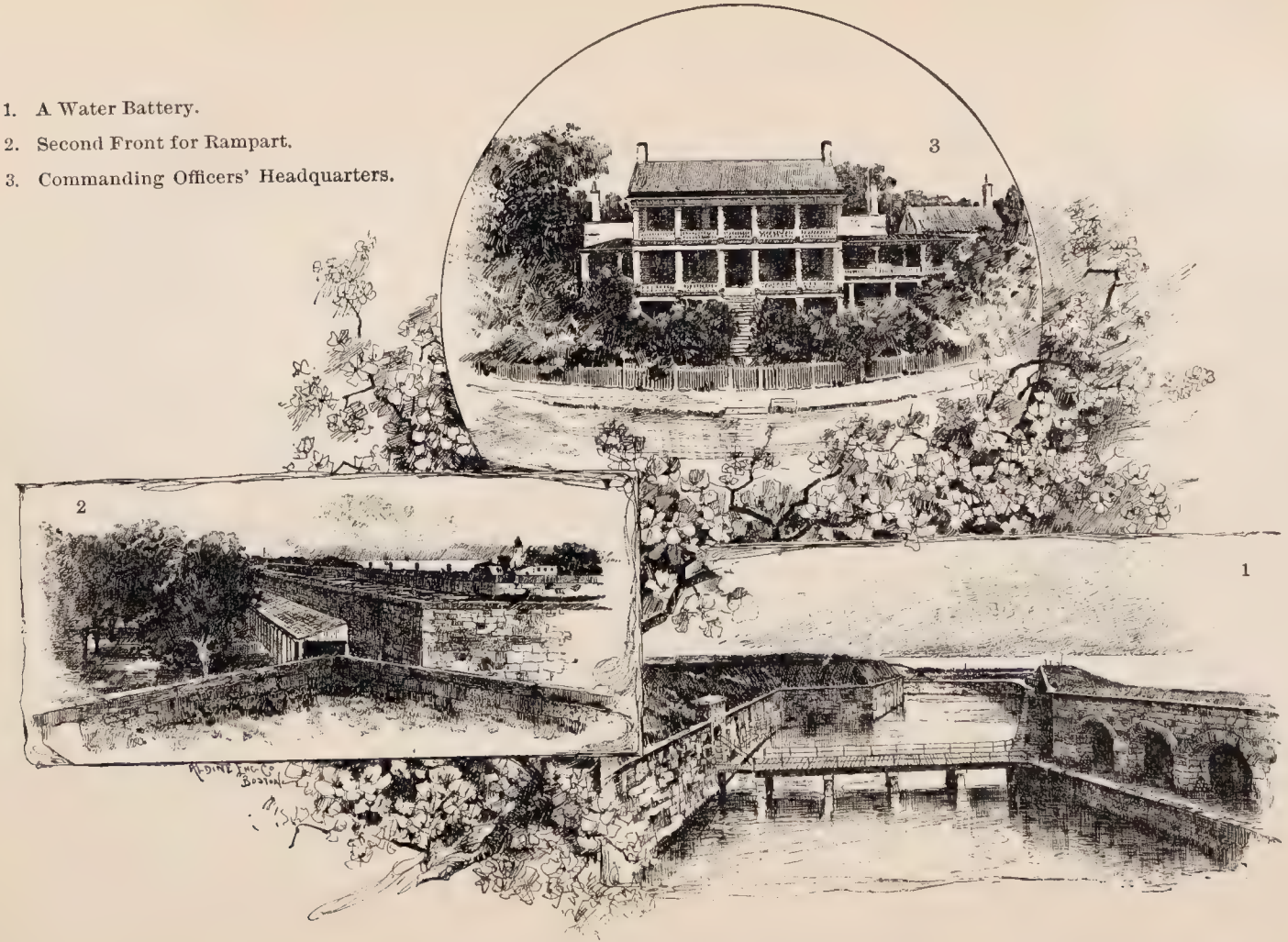
There was another prime necessity which was still more pressing. The fort required for a full war garrison twenty-five hundred men and for an ordinary garrison fifteen hundred. There was neither a well nor a spring in the fort, nor any on the point of land on which the fort was situated. The only water supply which the garrison had was the rain-water caught on the ramparts which drained into cisterns. With four hundred men in a garrison the year before, the water had failed entirely.

The fort had been in this condition ever since the days of President Monroe, when work was first begun upon it. True, an artesian well had been sunk about four hundred feet, many years before I got there; but not a drop of water was obtained. The appropriation for the work became exhausted, and no appropriation on water was afterwards obtained.

The fort was surrounded by a moat one hundred feet wide, which had been dug and walled, and was constructed to hold six feet of water at the tide level, the water being detained therein by proper gates. This provision rendered the fort practically unassailable by any troops by an escalade, and assailable only by bombardment, which could easily be done by the heavy guns of our day, but not of that day. The walls could be battered down and allow the flowing of sand into the moat.

This moat I found had been partially filled in a curious manner. All the waters in the neighborhood of the fort, in Hampton Creek and Back River, were filled with the finest possible oysters, and

1. A Water Battery.
2. Second Front for Rampart.
3. Commanding Officers' Headquarters.




VIEWS OF FORTRESS MONROE. From Photographs.

they were very cheap. The garrison of the fort, especially the officers, occupied quarters largely in the casemates, which were built into the walls of the fort under the ramparts, and had embrasures pierced in the outside walls for guns. These openings overlooked the moat, and also served the occupants of the casemates as windows when the guns were withdrawn. Through these narrow windows the shells of the oysters were easily thrown into the moat and as the larger shells had small oysters attached to them, there was quite an oyster bank in the bottom of the moat and one which filled it up very considerably.

As soon as possible the moat was cleared and the water was afterwards kept in it at its full height.

But the question of drinking water was one of the most pressing, as warm weather was coming on. There was quite a spring on the opposite side of Mill Creek, the bridge of which was picketed, and I proposed to Colonel De Russey, who was the engineer officer in charge, a very old and therefore a very formal officer, that we should bring water from there into the fort. He informed me that pipe could only be put there by contract after advertisement and after authority had been obtained from the chief of engineers at Washington. I told him to take it in charge. Against his protest, however, I insisted upon having an artesian well sunk in the fort. The old well, even if it had reached water, was only a four-inch pipe, and unless it should happen, of which there was but one chance in a hundred, to be a very heavy flowing well, it would by no means furnish the post with a sufficient supply of water.

Upon examining the topography of the country and its geological formation, I came to the conclusion that at one time the sea flowed up to the hills near Richmond in a straight line between fifty and sixty miles and that the substantial plateau between those cliffs and the fort was formed by concretion from the ocean, and that it was probable we should have to bore our well until we got down some six hundred feet because the trend of the whole coast was to rise about a fathom in a mile. The well was begun, and I had got down some four hundred feet at the time when I was relieved from command of the fort for some months or so. Then the work was stopped and never has proceeded any further, and I have never

heard of any provision for water in the fort that would supply a garrison of more than four hundred men.

The only provisions other than meat which the men had to live on were the hard buns or hard tack. All these provisions were conveyed into the fort by being rolled along in barrels, over a sandy road for about three quarters of a mile. And along this sandy road was the only way that our heavy cannon could be conveyed over the beach and up on the ramparts or anywhere else. I was informed that a twelve-inch bore cannon, the largest then ever made, was about to be sent to the fort to be tested experimentally. It weighed about twenty-six tons, and I assumed there must be some other method of locomotion.

Knowing that some railroad ties, rails, and cars belonging to the enemy had been captured at Alexandria, I sent a requisition to the Secretary of War for a sufficient number of them to lay railroad tracks from the wharves through the gateway into the fort and around the inner part of its circumference, with branches running into these several magazines, and one upon the ramparts so as to take the heavy guns up there.

I got a favorable answer to my requisition, and then I consulted Colonel De Russey upon the question of putting a branch up the sand beach where the loose sand above tide was some four or five inches deep, while the rolling of the surf left, as on other beaches, the sand below for a hard shore. When I explained the matter to the colonel, he said: —

"What? Do you propose to put a railroad track over this soft sand?"

"Yes."

"And run cars over the track?"

"Yes; and not only that, Colonel De Russey, but I want to carry a twenty-six ton cannon up to a certain point. Now which way do you think we had best bring it?"

"Why," said he, "General, you cannot carry anything on a track laid over this dry sand, and above all that very heavy gun. Why, it would sink your whole railroad track and ties in the sand."

"I am not an engineer, Colonel," I replied, "but I do know something about building a railroad. We build them on the sand

where we want to, and I think it is rather the most solid of any foundation if you can but keep it out of the reach of water."

"Well," said he, "I tell you, General, this is a matter I ought to know something about; it is impossible for you to build a road on this sand without its sinking in it."

"Colonel," I said, "I will show you a little experiment which I think will convince you." I looked around and saw a sentinel pacing his beat down from the sallyport, and wearing his little tin cup at his belt. I called him to me and said: "Lend me your tin cup." He did so. I stooped down and filled it with perfectly dry sand, smoothed it over the top, and turned to the colonel and said: —

"If you can put anything else in that cup of dry sand by any pressure you please without getting some of the sand out of it I will agree that I am wrong. If you cannot you must agree that the sand won't allow the ties of the rails to sink into it only to a very small depth."

"I see the force of your experiment," said he, "but I cannot believe that you can build a railroad upon this sand in the way you propose, so that it will be a useful one."

"Well, Colonel," I said, "I must have a railroad here, and if you don't think that you can build it do you have any objection to my making a requisition for a railroad engineer to come here and do the thing, and relieve you from the responsibility?"

"Certainly not," said he.

I then telegraphed and got Mr. Alexander Worrall, an engineer from the Pennsylvania railroad, and he came down. In a few days we had our railroad all down and in good running order. Then I put the gun on two trucks and hitched a number of men on the drag ropes and dragged it along lively. I rode up with a led horse to Colonel De Russey's office, and asked him to mount and ride down with me and see my railroad go into the sand, if it would. The order given, the men trotted off with my gun half a mile up the beach.

I never afterwards had any opposition from Colonel De Russey to anything I proposed.

Meanwhile regiments kept reporting to me from the North. I established a camp of instruction on the other side of Mill Creek

on the "sacred soil of Virginia," because Virginia was now in open rebellion, and encamped my troops there, soon having seven or eight thousand men. The camp was on the borders of that stream, and just above it a number of wells were dug to supply the troops there with water. These wells drained the stream and cut off my water supply, which was quite seven hundred gallons a day. Then, to supply the fort, we were obliged to bring water from Baltimore which cost us as high as two cents per gallon. But that supply was a meagre one, so we erected a plant to distil sea-water taken from the moat, by converting it into steam and allowing the steam to condense. Thus we supplied the fort at the expense of a pound of coal for a pint of water.

Among the regiments that came to me was the First Vermont, under the command of Colonel Phelps, formerly of the regular army. He was one of the best soldiers I ever saw, and the finest man in every relation of life that I ever met, except one. He was an abolitionist of the most profound, energetic, and forth-putting type.

As soon as he was fairly settled in camp I ordered him to make a reconnoissance with his regiment across Hampton Creek into the village of Hampton. In it had been collected a few Virginia militia. As soon as Phelps got near the bridge crossing Hampton Creek, the rebel militia attempted to burn it. He made a charge upon them at double-quick, drove them off the bridge, and saved it. Crossing over, he occupied the town for a while, and then returned to camp about half way between Hampton and Newport News. This was organized as a camp of instruction and was named Camp Hamilton.

At the same time that General Phelps entered Hampton, myself and staff made a reconnoissance about seven miles into the country, turning off at the road running up to Back River, and then skirting around until we struck the shore and then coming back to the fort. By this means I got full knowledge of the country within actual striking distance of the fort, except of that portion beyond Hampton Creek, and then onward to the mouth of the James, a distance of about eleven miles.

I had some knowledge of the point of junction of the north side of the James with Hampton Roads. I had given very studious

attention to the early history of Virginia, after I knew I was to be sent there. I had also examined the maps in the Congressional Library and a map of the shore which I procured from the coast survey. I learned that at the junction of the James with Hampton Roads there was a high promontory some sixty feet above the water, jutting boldly out into the bay in a range of several miles of very deep soundings up the James and on the sides of the Roads, gradually shoaling for miles, until it reached some eight to fifteen fathoms. Those soundings came within pistol shot of the shore.

On this bluff, and extending back four or five miles upon it, until they reached a large and apparently primeval forest, were cultivated lands.

This point was called Newport News from this incident: When the colonists at Jamestown, some twenty miles up the river, were in a state of starvation,— that is to say, in want of wheat, barley, beer, and roast beef, having almost everything else to eat that a man could desire of the game of the forest, and the fish of the sea,— they sent word to England of their starving condition, like our Pilgrim Fathers at Plymouth, who did the same thing under the same circumstances. These people at Jamestown then waited with anxiety for the outfit of a vessel by Lord Newport containing the coveted material for beer, and at the farthest point of all down the river they established an outpost on this bluff to watch for the coming of Newport's ship from home. After days of watchfulness and anxiety the vessel came in sight. The watchers at the outpost were the first to know of its arrival, and this news they conveyed to Jamestown with the utmost speed, to the great delight of its people. And in honor of that occasion that point was named Newport's News.

I saw that this point, if held by us and fortified, would forever keep safe the deep channel and anchorage whereon to concentrate a fleet and make an attack upon Norfolk, which lay at the left from the bluff facing the fort and some seven miles up the Elizabeth. I also saw that this post, as long as it was held, would control the ascent of James River certainly as far as Jamestown Island, or some twenty-five miles toward Richmond. Three days after my arrival at the fort I determined to occupy Newport News. I did not wish to waste time, and as it was distant more than the half day's march to

which I was restricted by my orders, I wrote to General Scott that I proposed to make the reconnoissance in person that very day, with the intention, if I found it practical, of seizing Newport News, and intrenching a force there by which this important point could always be held unless our government lost control of Hampton Roads. Therefore I embarked at midday with twenty-five men and three gentlemen of my staff. We steamed up past Sewall's Point, being saluted from the enemy's battery there by a cannon shot, the ball of which fell far short of its mark. I then answered the salute in derision with a rival shot from a rifle, which carried its bullet as far as the enemy's cannon. We landed at a little jetty at Newport News, and climbed the banks. Here there burst upon my sight one of the finest scenes that I ever beheld. At the point nearest the river was a farmer's house shaded by some very fine elms, and a field of some sixty or seventy acres, a perfect plain, covered with a beautiful growth of spring wheat waving in the light wind.

Even this cursory examination proved to me that the point was all I could hope for. Sailing a mile or two up the James River, we turned about and reached home in time for an early supper.

That evening I organized an expedition of two thousand men, some artillery, and some heavy guns to command the river, with the necessary intrenching tools, and with three days' rations in the haversacks of the troops.

We got off the next morning at seven o'clock, and at half-past eight we were ruthlessly trampling down that field of wheat in pitching our camp and marking out the line of intrenchments stretching across the point from water to water.

One of the regiments was that of Colonel Phelps, and I detailed him in command. From that time Newport News was always the place where the fleet of the navy found fine air, fine anchorage, and plenty of water, and was never disturbed by a hostile shot until the arrival of the Merrimac, and the sinking of the frigates Congress and Constellation, in the spring following.

That we were not a day too early was shown by the immediate occupation by the rebels of Pig Point, which lies precisely on the opposite side of the James River at its junction with the Nan-

semond. Later on I mounted at Newport News the most efficient piece of artillery of that time,— and I have seen few more efficient since. It was a twenty-four pounder, carrying a fifty-three-pound six-inch shell, grooved mechanically so as to fit exactly the grooves of the bore; and later on a shot was thrown six miles across the James River.

This being done I felt myself completely established at Fortress Monroe.

But there are many other matters which claim the fullest and closest attention; and as the next important event led to the most serious results affecting the condition of the country, we may as well proceed to another chapter.



## CHAPTER VI.

### "CONTRABAND OF WAR," BIG BETHEL AND HATTERAS.

ON the day after my arrival at the fort, May 23, three negroes were reported coming in a boat from Sewall's Point, where the enemy was building a battery. Thinking that some information as to that work might be got from them, I had them before me. I learned that they were employed on the battery on the Point, which as yet was a trifling affair. There were only two guns there, though the work was laid out to be much larger and to be heavily mounted with guns captured from the navy-yard. The negroes said they belonged to Colonel Mallory, who commanded the Virginia troops around Hampton, and that he was now making preparation to take all his negroes to Florida soon, and that not wanting to go away from home they had escaped to the fort. I directed that they should be fed and set at work.

On the next day I was notified by an officer in charge of the picket line next Hampton that an officer bearing a flag of truce desired to be admitted to the fort to see me. As I did not wish to allow officers of the enemy to come inside the fort just then and see us piling up sand bags to protect the weak points there, I directed the bearer of the flag to be informed that I would be at the picket line in the course of an hour. Accompanied by two gentlemen of my staff, Major Fay and Captain Haggerty, neither now living, I rode out to the picket line and met the flag of truce there. It was under charge of Major Carey, who introduced himself, at the same time pleasantly calling to mind that we last met at the Charleston convention. Major Carey opened the conversation by saying: "I have sought to see you for the purpose of ascertaining upon what principles you intend to conduct the war in this neighborhood." I expressed my

willingness to answer, and the major said: "I ask first whether a passage through the blockading fleet will be allowed to families and citizens of Virginia who desire to go North to a place of safety."

"The presence of the families of the belligerents," I replied, "is always the best hostage for their good behavior. One of the objects of the blockade is to prevent the admission of supplies and provisions into Virginia while she is hostile to the government. Reducing the number of consumers would necessarily tend to defeat the object in view. Passing a vessel through the blockade would involve so much trouble and delay, by way of examination to prevent frauds and abuse of the privilege, that I feel myself under the necessity of refusing."

"Will the passage of families desiring to go North be permitted?" asked Major Carey.

"With the exception of an interruption at Baltimore, which has now been disposed of, travel of peaceable citizens through to the North has not been hindered; and as to the internal line through Virginia, your friends have, for the present, entire control of it. The authorities at Washington will settle that question, and I must leave it to be disposed of by them."

"I am informed," said Major Carey, "that three negroes belonging to Colonel Mallory have escaped within your lines. I am Colonel Mallory's agent and have charge of his property. What do you mean to do with those negroes?"

"I intend to hold them," said I.

"Do you mean, then, to set aside your constitutional obligation to return them?"

"I mean to take Virginia at her word, as declared in the ordinance of secession passed yesterday. I am under no constitutional obligations to a foreign country, which Virginia now claims to be."

"But you say we cannot secede," he answered, "and so you cannot consistently detain the negroes."

"But you say you have seceded, so you cannot consistently claim them. I shall hold these negroes as contraband of war, since they are engaged in the construction of your battery and are claimed as your property. The question is simply whether they shall be used for or against the Government of the United States. Yet, though I greatly need the labor which has providentially come to my hands,

if Colonel Mallory will come into the fort and take the oath of allegiance to the United States, he shall have his negroes, and I will endeavor to hire them from him."

"Colonel Mallory is absent," was Major Carey's answer.

We courteously parted. On the way back, the correctness of my law was discussed by Major Haggerty, who was, for a young man, a very good lawyer. He said that he doubted somewhat upon the law, and asked me if I knew of that proposition having been laid down in any treatise on international law.

"Not the precise proposition," said I; "but the precise principle is familiar law. Property of whatever nature, used or capable of being used for warlike purposes, and especially when being so used, may be captured and held either on sea or on shore as property contraband of war. Whether there may be a property in human beings is a question upon which some of us might doubt, but the rebels cannot take the negative. At any rate, Haggerty, it is a good enough reason to stop the rebels' mouths with, especially as I should have held these negroes anyway."



"CONTRABAND OF WAR."

COL. MALLORY'S THREE NEGROES BEFORE GEN. BUTLER AT FORTRESS MONROE.

[illegible] headquarters and in the fort nothing was discussed but the negro question, and especially this phase of it. The negroes came pouring in day by day, and the third day from that I reported the fact that more than $60,000 worth of them had come in; that I had found work for them to do, had classified them and made a list of them so that their identity might be fully assured, and had appointed a "commissioner of negro affairs" to take this business off my hands, for it was becoming onerous.

I wrote the lieutenant-general that I awaited instructions but should pursue this course until I had received them. On the 30th I received word from the Secretary of War, to whom I had duplicated my letter to General Scott. His instructions gave me no directions to pursue any different course of action from that which I had reported to him, except that I was to keep an accurate account of the value of their work.

But the local effect of the position taken was of the slightest account compared with its effect upon the country at large. The question of the disposal of the slaves was one that perplexed very many of the most ardent lovers of the country and loyal prosecutors of the war. It afforded a groundwork for discussion which yielded many excuses for those who did not desire the war to be carried on. In a word, the slave question was a stumbling-block. Everybody saw that if the work of returning fugitive slaves to their masters in rebellion was imposed upon the Union troops, it would never be done; the men would simply be disgusted and finally decline the duty. Our troops could not act as a marshal's posse in catching runaway negroes to return them to their masters who were fighting us at the same time. What ought to be done? Nobody made answer to that question. Fortuitously it was thrust upon me to decide what must be done then and there, and very fortunately a few moments' thought caused to flash through my mind the plausible answer at least to the question: What will you do? I do not claim for the phrase "contraband of war," used in this connection, the highest legal sanction, because it would not apply to property used or property for use in war, as would be a cargo of coal being carried to be burned on board an enemy's ship of war. To hold that contraband, as well might be done, by no means included all the coal in the country. It was a poor phrase enough; Wendell Phillips said "a bad one." My staff officer, Major Winthrop, insisted it was an epigram which freed the slaves. The truth is, as a lawyer I was never very proud of it, but as an executive officer I was very much comforted with it as a means of doing my duty.

The effect upon the public mind, however, was most wonderful. Everybody seemed to feel a relief on this great slavery question. Everybody thought a way had been found through it. Everybody praised its author by extolling its great use, but whether right or

wrong it paved the way for the President's proclamation of freedom to the slaves within eighteen months afterwards.

There has been, so far as I know, in the several histories, but one very belittling account of the origin of this method of disposing of captured slaves used in war, and that one is the emanation of malice and ignorance in "Abraham Lincoln, A History," a book which was written by one man with two pens. Mr. John Hay says : —

> Out of this incident seems to have grown one of the most sudden and important revolutions in popular thought which took place during the whole war. General Butler has had the credit of first pronouncing the opinion formulating the doctrine, that under the course of international law the negro slaves, whose enforced labor in battery building was at the time of superior military value to the rebels, are manifestly contraband of war, and as such confiscable by military right and usage. There is no word or hint of this theory in his letter which reports the Mallory incident, nor any other official emanation of it by him until two months afterwards, when he stated casually that he had adopted such a theory. Nevertheless it is very possible that the idea may have come from him, though not at first in any authentic or official form. It first occurs incidentally in a newspaper letter from Fortress Monroe of the same date of the Mallory incident: "Again, the negro must now be reported as contraband, since every able-bodied negro not absolutely required on the plantation is impressed by the enemy into military service as a laborer on the various fortifications."
>
> Whether the suggestion was struck out in General Butler's interview with the flag bearer, or at general mess table in a confidential review of the day's work; or whether it originated with some imaginative member of his staff, or was contributed as a handy expedient by the busy brain of a newspaper reporter, will, perhaps, ever remain a historical riddle.

This double-named historian has stepped out of his way to attempt to rob me of the authorship of this theory of disposing of such captured slaves. As he evidently did not understand the matter about which he was speaking, he has noted the fact that I did not ask, in my letter to General Scott the morning after I met Colonel Mallory's agent, as to this theory or use the word "contraband," and has produced it as evidence that the phrase was not used by me in the interview as to captured slaves. If he had read my letters to General Scott he would have seen that I was asking

from him instructions how to deal with the whole question of negro slavery during the war.

As I have already said, I have never claimed and never believed that "contraband" alone would cover that. That was the popular belief, not mine. I was asking Scott for instructions as to what I should do with the slave men, women, and children, sick and well, who came to me. I did not need any instructions from Scott or Cameron, neither of whom were lawyers, as to the legal question of the law of nations concerning captured slaves when used by their masters in actual warfare.

The question put and argued in those letters was: What was I to do with the slave population of the whole country who came to me voluntarily, men, women, and children. I had $60,000 worth of them. That question included the slaves of loyal men. In this matter I wanted the sanction of the government.

I had adopted a theory on this question for myself in Maryland, and got rapped over the knuckles for it by Governor Andrew. I had learned what manner of man Scott was, and I was desirous to take instructions from him for my action but not for my law.

If Mr. Hay had stopped at the point where he was led to doubt my authorship of "contraband" because I had not mentioned it to Scott, and was so misled, no more would need to be said. The sin of ignorance "God winks at," and I should follow that example.

But having been a newspaper man himself, and this being a great question of international law, which has never yet been settled, and which, as he argues, contributed largely to the freeing of the slaves, he goes on to suggest that probably it was written by a newspaper reporter, because he finds the whole theory stated in a newspaper letter written at night after my return to the fort.

The whole matter of the interview with the flag of truce officer was the common talk of all, and the reporter was writing the current news. Yet Mr. Hay suggests it might have come from an "imaginative staff officer." Why "a staff officer"? Mr. Hay, this was a matter of the laws of war. As the general was supposed to have some knowledge upon that subject, why didn't you state in your "History" that you thought it probable the general arrived at such a conclusion of law rather than it should have originated with an "imaginative staff officer" or be contributed as a "handy expedient by the busy brain of a newspaper reporter"?

If Mr. Hay had desired to write "History" and not simply to make a book suggesting "historical riddles," he could easily have ascertained regarding the matter by writing a simple note either to Major Carey, who is an honored citizen of Richmond, Va., or to his associates bearing that flag, or to myself. If he had put the question to me I should have answered: "A poor thing, sir, but mine own." If he had inquired of Major Carey, that gentleman would have answered that "contraband" was the ground upon which I refused to release Mallory's slaves and that we then discussed the whole question together.

Mr. Hay, read this: —

RICHMOND, VA., March 9, 1891.

GEN. BENJ. F. BUTLER, WASHINGTON, D. C.:

*Dear Sir:* — I have received, through a friend, your request to furnish a detailed statement of the facts in regard to the introduction of the term "contraband," as applied to the slave population of the United States, about the beginning of our Civil War; and as my recollection is very distinct, I give it for whatever it may be worth to you as to the truth of history.

The term was employed by you at a conference held between us, on the Hampton side of Mill Creek Bridge, on the evening of May 24, 1861, the day after Virginia had voted on the ordinance of secession, but before the ratification (though anticipated) was definitely known. I was then in command, at Hampton, of four volunteer companies of about two hundred men (one of them artillery without guns), very poorly equipped, and almost entirely without ammunition, who had never been in camp, and who dispersed to their homes in the town and neighborhood every night; and you were in command of the United States troops (said to be about ten thousand) at Fortress Monroe. As there were no Virginia troops at that time between Hampton and Richmond (a distance of ninety-six miles), save three companies of infantry at Yorktown, and two companies, perhaps, organizing at Williamsburg, and as it was thus evidently important for us to "preserve the peace," I had instructions from General Lee, then commander-in-chief of the Virginia troops, to avoid giving any provocation for the commencement of hostilities; to retire before your advance, if attempted; and to obstruct, as far as possible, your progress by burning bridges and felling trees across the public roads, until reinforcements could be sent to Yorktown. At night, after the election (May 23), Col. C. K. Mallory, of the One Hundred and Fifteenth Virginia Militia (with other citizens), called at my headquarters, and asked me to take some steps for

the recovery of one of his slaves, who had escaped to Old Point, and had been held there by you, and put to work in the service of the government. I promised to do what I could, and accordingly sent to you, next morning, a communication under flag of truce (the first I believe of the war), deeming that course advisable in view of the critical condition of affairs, and asked for a conference with you, which was promptly granted, 3.30 the same day and Mill Creek Bridge being named as the time and place of meeting.

We met at the time and place appointed, and for several hours riding up Mill Creek to its head, and back again, via Buck Roe, by a slight detour to Fort Field Gate, we discussed many questions of great interest (to me at least), among them the return of fugitive slaves who had gone within your lines. I maintained the right of the master to reclaim them, as Virginia (so far as we knew) was a State of the Union; but you positively refused to surrender them (or any other property which might come into your possession), claiming that they were "contraband of war"; and that all such property would be turned over to your quartermaster, who would report to the government, to be dealt with as might be subsequently determined. Failing in the accomplishment of my mission, we parted when it was quite dark, and returned to our respective posts.

*I have frequently mentioned these facts, with many other incidents of the conference (some serious and some amusing) to members of my family and friends; and as it was the first time I had ever heard the term "contraband" so used, I have always given you whatever credit might attach to its origin.*

Respectfully, your obedient servant,

M. B. Carey.

If Mr. Hay had looked in the New York *Tribune*, of which he was once editor, he would have found a letter written that day at Fortress Monroe, after I had my interview with Major Carey, and in that letter he would have read the following : —

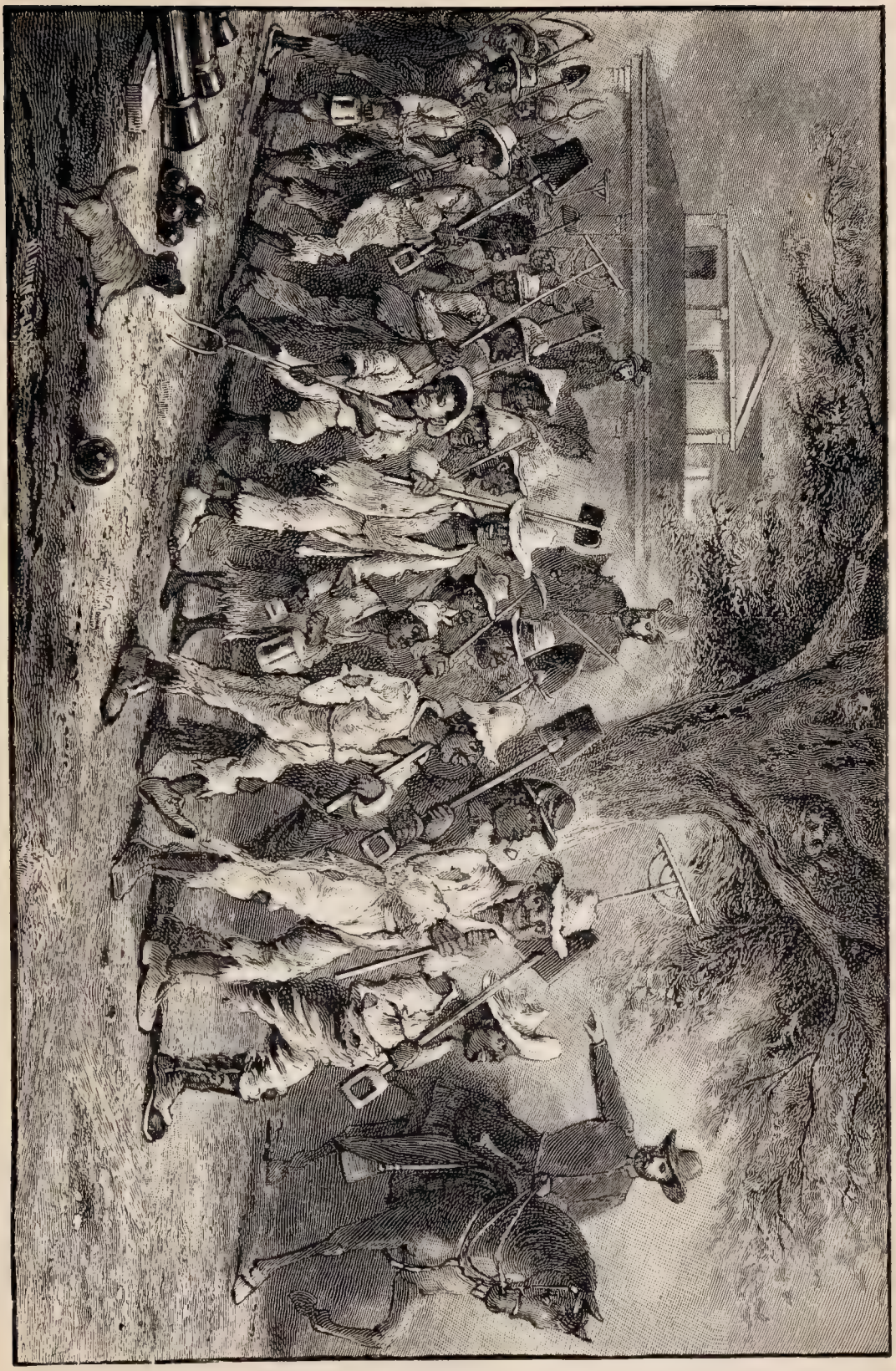
Three slaves, the property of Colonel Mallory, commander of the rebel forces near Hampton, were brought in by our picket guard yesterday. They reported that they were about to be sent South, and hence sought protection. Major Carey came in with a flag of truce and claimed their rendition under the fugitive slave law, and was informed by General Butler that under the peculiar circumstances he considered the fugitives contraband of war, and had set them to work inside the fortress.

Mr. Hay, you do not speak of anybody who ever said anything to the contrary of the "contraband" thought being mine: why not, if you ever heard anything to the contrary? Upon the whole do you not think this exhibition of facts which I have made as to the manner of your writing "History" shows that you wrote very carelessly and negligently your "History" of Abraham Lincoln? If it is all written like this specimen, — for I have not read it all because I know more about Abraham Lincoln than you ever did,— God help poor Lincoln's memory thus to go down to posterity. You can't weigh a load of hay with fish scales, you know.

Speaking of phrases, they will stick to the man they belong to. This one will stick to me in spite of all efforts to the contrary, and I know of another phrase which will stick to you in spite of all yours, because no Christian gentleman will ever claim it, and no man of good literary taste will ever permit it to be ascribed to him. The phrase I refer to is the only thing that ever made your poem "Little Breeches" famous, while making, perhaps, its author infamous: —

> "Is a derned sight better business
> Than loafing around The Throne."

I made requisition on General Scott for horses, for artillery, for wagons, and for tents and camp equipage, as my command was largely unprovided for in that regard. At last I sent my brother to Washington to get authority to buy some. He got it, and went to Baltimore and bought one hundred and twenty-five very good horses. Meanwhile I had sent to my home for nine horses of my own, which were coming as soon as they could be got there. Orders were left that the horses obtained by my brother should be sent on after him to Fortress Monroe; but he was not an old campaigner, and did not know that there were as many horse thieves in the army as there were out of it. The next day, his horses not coming, he went to see what the matter was, and found that one hundred and odd had been taken to Washington, so it was very lucky that mine from home had not got there. This loss of horses for my artillery was of very serious consequence to me and a serious loss to the country. If I could have had a few horses so that I could have mounted my artillery and picked out a few of my best soldiers



MARCHING CONTRABANDS TO WORK AT FORTRESS MONROE. From a Drawing.

for cavalry under an experienced cavalry officer, and thus have had the ground reconnoitred and some guns served to meet the enemy's guns at the time of the attack on Big Bethel, that encounter would have resulted in an entirely different way and in perfectly certain victory for the United States troops.

There was a point nine miles from the fort and on the road leading from Hampton to Yorktown, which I learned the rebels intended to entrench and hold, because they expected a move towards Richmond to be made very soon. The insane cry of "On to Richmond" had been continually sounded by Mr. Greeley and his coadjutors. After carefully reconnoitring the position, I concluded upon an attack.

A creek crossed the road close by the church known as the Bethel. The bridge over this creek was attempted to be commanded by a slight fortification some half a cannon-shot distance beyond. Col. D. H. Hill, of North Carolina, held it with five hundred men. Our negro scouts reported them two thousand in number, and they really thought there were as many as that, for a negro scout had to be a veteran in the war before he learned that two hundred men were not a thousand, and that five hundred were not two thousand. So upon the point of numbers I was satisfied ; and I was further convinced that there were no more than one thousand in Yorktown, that might possibly come to Bethel, as they afterwards did.

After the most careful and thorough preparation, and a personal reconnoissance of the lay of the country by Major Winthrop, I came to the conclusion to attempt to take this post, and I drew up with his aid the following order for the detail of the movement : —

A regiment or battalion to march from Newport News, and a regiment to march from Camp Hamilton,—Duryea's. Each will be supported by sufficient reserves under arms in camp, and with advanced guards out on the road of march.

Duryea to push out two picket posts at 10 P. M.; one two and a half miles beyond Hampton, on the county road, but not so far as to alarm the enemy. This is important. Second picket half as far as the first. Both pickets to keep as much out of sight as possible. No one whatever to be allowed to pass out through their lines. Persons to be allowed to pass inward toward Hampton, unless it appears that they intend to go roundabout and dodge through to the front.

At 12, midnight, Colonel Duryea will march his regiment, with fifteen round cartridges, on the county road towards Little Bethel. Scows will be provided to ferry them across Hampton Creek. March to be rapid, but not hurried.

A howitzer with canister and shrapnel to go.

A wagon with planks and material to repair the Newmarket bridge.

Duryea to have the two hundred rifles. He will pick the men to whom to entrust them.

Rocket to be thrown up from Newport News. Notify Commodore Pendergrast of this to prevent general alarm.

Newport News movement to be made somewhat later, as the distance is less.

If we find the enemy and surprise them, men will fire one volley, if desirable, not reload, and go ahead with the bayonet.

As the attack is to be by night, or dusk of morning, and in two detachments, our people should have some token, say a white rag (or dirty white rag) on the left arm.

Perhaps the detachments who are to do the job should be smaller than a regiment, three hundred or five hundred, as the right and left of the attack would be more easily handled.

If we bag the Little Bethel men, push on to Big Bethel, and similarly bag them. Burn both the Bethels, or blow up if brick.

To protect our rear in case we take the field-pieces, and the enemy should march his main body (if he has any) to recover them, it would be well to have a squad of competent artillerists, regular or other, to handle the captured guns on the retirement of our main body. Also spikes to spike them if retaken.

George Scott to have a shooting iron.

Perhaps Duryea's men would be awkward with a new arm in a night or early dawn attack, where there will be little marksman duty to perform. Most of the work will be done with the bayonet, and they are already handy with the old ones.

There was a small negro church called Little Bethel which stood in advance of Great Bethel a short distance. That was in no way fortified, and sheltered a few men.

I could not go with the command myself and it was not proper that I should; but I selected as commander my officer next in rank, General Pierce, of Massachusetts. I very much wished to devolve the command on Colonel Phelps as certainly the more competent officer, but there were unfortunately one or two colonels outranking

him that were no more qualified than General Pierce, and I did not like to do these officers an apparent injustice. Besides I did not deem the enterprise at all difficult.

Newport News was nearer Bethel, and my proposition was that the regiment there should start later than the two regiments from Camp Hamilton, and that at a well-known junction of the road they should meet, advance as fast as possible, capture Little Bethel, which could easily be done, and then all make an assault at daylight upon the entrenchments at Great Bethel. To be sure of having the march properly timed, I ordered the signal to be given at Newport News. There were four very small howitzers which were to be drawn by the men, for want of horses to take up larger guns.

With six of our men to one of the enemy I could not conceive how there could be any possibility of not marching at once over the works; and if the troops had marched steadily forward the rebels would not have stayed a minute.

Everything was utterly mismanaged. When the troops got out four or five miles to the junction where the regiments were to meet, it being early dawn and the officers being very much scared, Colonel Bendix mistook the colonels and staff of the other regiment for a body of cavalry, and fired upon them. The fire was returned; and by that performance we not only lost more men than were lost in the battle, but also ended all chance for a surprise.

The two regiments marched forward, the main force remaining behind. Duryea took Little Bethel, which had been abandoned. With two hundred rifle-men supporting Greble and his cannon, Duryea went forward with his Zouaves to a piece of timber, and opened fire in answer to the enemy's artillery. Greble advanced his guns within three hundred yards of the enemy's battery. He was pretty soon left by the Zouaves, who took shelter in the woods. That was no harm, as nobody came out from the entrenchments to disturb him. He silenced one of the enemy's guns, and substantially all of them, when by the last discharge of a gun by the enemy he was instantly killed.

From that time there did not seem to be a head more than a cabbage head to undertake to do anything, except it might be Winthrop. Greble held his position an hour and a half, while the main body of the troops stood about a half mile from his position

waiting for the officers to form a plan of battle. They carefully disobeyed orders, which were, as has been seen, to go right ahead with fixed bayonets and fire but one shot, and they did not do even that. If they had only marched steadily forward, as I have said before, the enemy would have fled.

The plan that they at last agreed upon was well enough, only an exceedingly contrary one. They decided not to attack the rebel position in front, but to endeavor to go around it. Therefore it was agreed that Duryea should hold his place where it was, in apparent support of Greble's battery; that Colonel Townsend should march obliquely to the left beyond the woods so that he might strike the Yorktown road and attack the enemy in his rear and cut him off from Yorktown; that at the same time Bendix should march by his flank obliquely to the right and then go across a little stream easily fordable, and form a junction with Townsend in the rear of the enemy's entrenchments; and that would result either in the enemy taking flight or being captured.

But as Townsend moved up, a portion of his command got a little ahead of him on the other side of a stone wall. When he saw them, he took them for a body of the enemy trying to flank him, and at once concluded to retire. He did retire, leaving Winthrop near the fort in expectation of instant victory. Winthrop did not know that the order had been given for the retirement of Townsend's troops. Winthrop sprang upon a log to take a view of the situation, and see how matters stood. He was supported by one private. All the rest of his support had retired under orders. As he stood up in full view, a rifle shot from the enemy killed him instantly. Meantime Duryea and Bendix were trying to pass to the left of the enemy's entrenchments to be ready to spring upon them when Townsend had got to his position; and that was all that was done.

A council was called and all the colonels but Duryea voted to retire, and Pierce gave the order. The ground it was put upon was that the troops with long marching were hungry. They had actually marched eleven miles; and if Pierce had given the order for them to sit down and take lunch, the enemy would have run away (as is now known they did do), because they would have supposed we had come to stay. A few volunteers headed by Lieu-

tenant-Colonel Warren remained on the field until they could pick up all the wounded. They brought off Greble's gun, and then had to drag the wounded in wagons nine miles.

Upon the return to the fort the stories that were brought back were sufficient evidence of the great alarm. Pierce said that there were between four and five thousand of the enemy.

These statements will perhaps be better summed up in the way they finally got into the Northern press, through a communication addressed to me: —

> Men cannot be required to stand in front of a rampart thirty feet high, before the muzzles of mounted guns, loaded with grape and canister and musket balls, doing nothing. When they are commanded to march through fire and reach the ditch, they must be provided with the means to cross it, or jump into it, and sticking their bayonets into the slope of the scarp, form with them ladders by means of which the more active can mount the parapet. But before men are sent into a position — recollecting that every ditch will be swept by a flank fire — they must not only be instructed in their duties, but supported by a steady fire upon the enemy.

As a specimen of the stories reported back, I have a vivid memory of an extraordinary one told me by one of the bravest young men I ever knew. He was then not even a private in the army, but he begged of me the privilege of going with the expedition and carrying a musket. His father was a warm friend of mine and I took his son in my charge when I first started, using him as a sort of private secretary to take care of my papers and copy some of them. I afterwards appointed him a lieutenant when I raised my troops for the New Orleans expedition. He went down there with me, became a very efficient officer, distinguished for bravery and dash, and in two years was made a brigadier-general for his defence of one of the forts on the Mississippi River against a very superior force of the enemy. He was a very level-headed gentleman in every particular. I think I left him in the Department of the Gulf as a lieutenant-colonel. There his promotions were got under other commanders. Yet in the evening of that day at Great Bethel, after I had spent several hours hearing all sorts of stories, he came into my office and said: —

"General, do you want me to tell you anything of the fight up at Great Bethel?"

"Yes, I do," said I; "I have heard nothing but the account of men who seem to have been frightened almost to death. I don't believe you were."

"But I was, General, yet I think I can tell you what I saw. I cannot tell you anything about the two regiments shooting at each other going up, because I was not there at that time; I was with Duryea's regiment. Well, we took Little Bethel, and that was not anything to take; the rebels had run away. Then we marched up into the woods to support Greble's battery, and we remained there a while. As we came up to the woods the enemy began to fire at us and the balls at first went over our heads into the trees. Well, we could have stood that, but, General, they fired 'rotten balls.'"

"You mean shells, I suppose?"

"Well, yes; that is what they told me afterwards they were; but they would strike a tree and burst, and the pieces would drop around among us. I guess if they had been regular balls the men would have stood it, but they broke and scattered to the woods. It seemed as if they might as well scatter as anyway, because there was nobody came out of the fort at us."

"Well," said I, "I am glad to see a man who got near enough to see what the fort was."

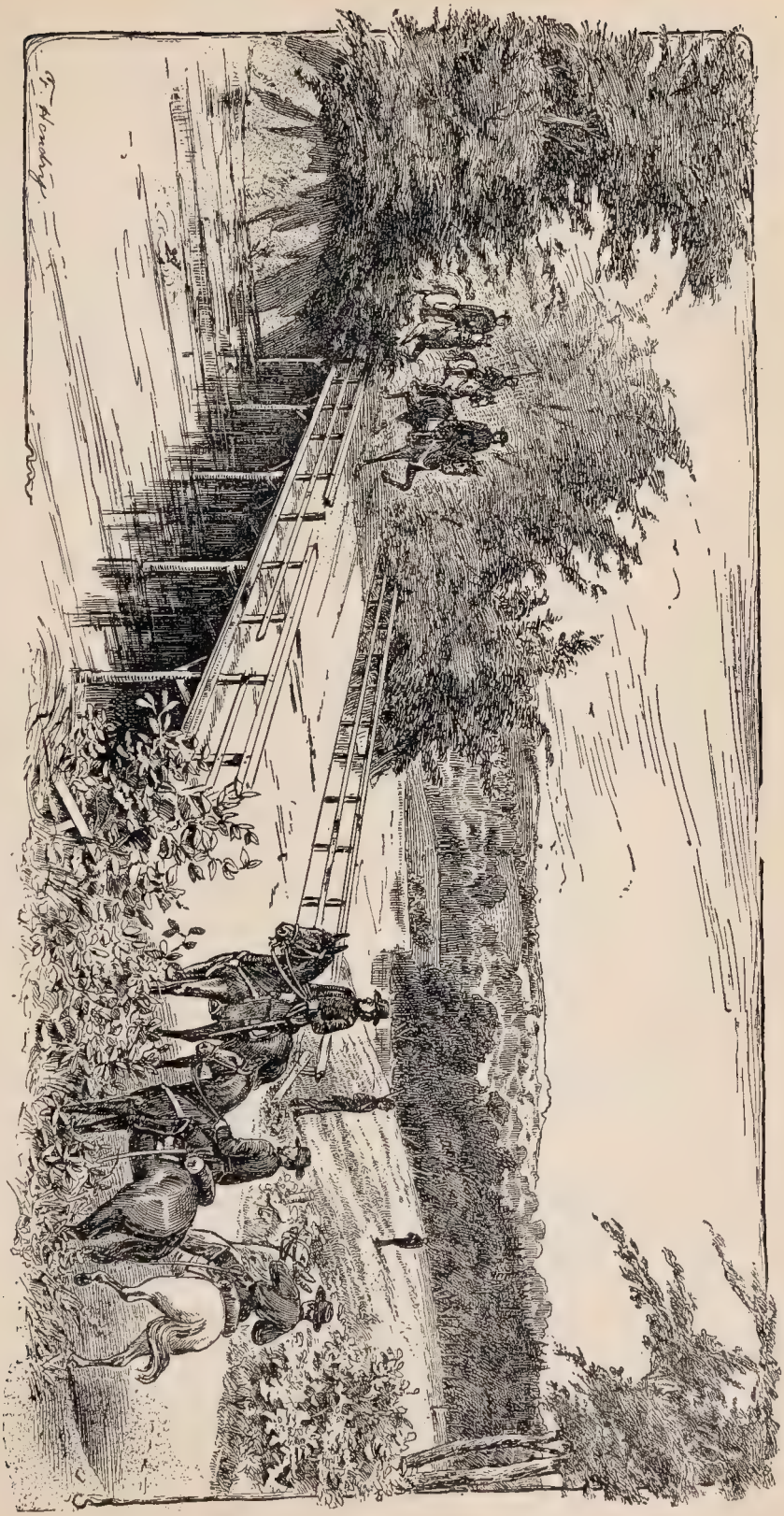
"It was a very large fort, I should think some thirteen feet high, and they had mounted on it some fifteen or twenty guns. There was a ditch in the front, and if we had got up to it it would have been impossible for us to have climbed up so as to get in it."

"Do you know anybody that got nearer to it than you?"

"No; there were some as near. But Winthrop went clear up farther than any of us, and then he went back to the main body of the troops."

That was the least exaggerated report that I got of the fort. Some reported as many as thirty guns. As a matter of fact, there were three six-pounder field-pieces, and the fortification was so low that they had to dig an excavation to let the wheels down so as to bring the top of the parapet above the top of the gun carriages so as to protect them from our fire. Afterwards I rode my horse at full trot over those thirteen feet high parapets.

I sent quite early in the evening to have George Scott, who was to have a "shooting iron" and accompany Winthrop, and found him



"THE CONTRABAND OF WAR."

MEETING OF GEN. BUTLER AND MAJ. CAREY AT UNION PICKET LINES NEXT HAMPTON.

mourning bitterly for his loss. I asked him if he was afraid to go up that night to Big Bethel and see who were there and how many there were. He said he would go up, and I gave him a light basket containing some restoratives and bandages if he should find any wounded. He started with alacrity. I told him to get back as soon as he could, and to have me called at whatever hour of night. Returning before daybreak he reported to me, and from the nature of the report, I had no doubt of its truth. He had gone on to the field, and had looked around in the woods to see if he could find any wounded or dead men, but found none. He crept up carefully near the works and listened to hear any noise of a sentinel or anybody. Not hearing anything, he cautiously advanced until he got up to the breastwork, and then, after carefully looking it over, he went into the work, and found not one soul there. The enemy had retired, and nobody to this day, as far as I can ascertain, knows whether the rebels went before our men did or afterwards.

It may be worthy of note that the same thing happened at the battle near Manassas Junction, known as the battle of Bull Run; after the fight both armies ran away, so that there was no armed force on the battle field, as I have been informed, and correctly, I believe.

It will be seen that the affair at Bethel was simply a skirmish, and not even a respectable one at that, either in the vigor of the attack or in the loss of men. We lost quite as many men by the fire of Colonel Bendix upon Colonel Townsend's regiment of foot, mistaking it for cavalry, as we lost altogether at Bethel.

When the plan of the expedition became fully known and the condition of the place which was to be attacked was ascertained, nobody criticised the movement, as there were two regiments* to go into the fight with a brigadier-general in command. I had but one brigadier-general, General Pierce, and I had to give him the command. Yet while no blame could seem to attach to me, a senseless cry went out against me, and it almost cost me my confirmation in the Senate. Of course every Democrat voted against me, and so did some of the Republicans, for various reasons. I suppose I should have failed of confirmation if Colonel Baker, then senator from Oregon, who had been detailed to do duty with me at Fortress Monroe, had not been in his seat and explained the

* Two regiments were ordered, but three took part in the fight: Bendix, Townsend, and Duryea.

senselessness of the clamor. But one senator from my own State voted for me, the other, the senior senator, voting against me because of my difference with Governor Andrew on the slave question.

In the meantime neither horses nor artillery came. I did, however, get a very valuable reinforcement of a California regiment and a half, at the head of which was Colonel Baker, who had had some experience in Mexico as an officer. We agreed to attempt, as soon as our horses and artillery should come, an expedition that would reflect credit on both of us, and we determined that neither should blame the other if it failed, because both would go together.

I asked, on the 23d of May, for a few artillery and cavalry horses with their equipments. These were not received from Washington until July 21, and then only after every possible exertion on my part, even to the extent, as we have seen, of causing them to be bought by my own agent and having them brought on to Washington.

This was not negligence, as I at first supposed, but studied unjust treatment. I should not venture to say this did I not have it in a letter from a man in Washington who knew everything that was done about army headquarters, — a bold soldier, an officer, a general. As he is yet alive I do not give his name; but the letter has been published now more than a quarter of a century and no man has ever dared to question it. It is as follows: —

June 8th I received your letter and despatch, and, contrary to your orders, I read both to the President, under the seal of confidence, however. I have told him that ——— would never let you have any troops to make any great blow, and I read the despatch to show that I understood my man. He intended to treat you as he did ———, and as he has always treated those whom he knew would be effective if he gave them the means, retaining everything in his own power and under his own immediate control, so as to monopolize all the reputation to be made.

I have been a little afraid lest you might attempt more than your means justified, under the impression that you would otherwise disappoint the country. But I am pleased to see that you have not made this mistake. You must work on patiently till you feel yourself able to do the work you attempt, and not play into your enemies' hands, or those of the miserable do-nothings here, by attempting more than in your cool judgment the force you have can effect. You will gradually get the means, and then you may make an effective blow. Unfortunately, indeed, the difficulties increase as your force increases, if not more rapidly. We have forty

thousand men, I believe, and provisions and transportation enough to take them to Richmond any day, and yet our lines do not extend five miles into Virginia, where there are not, in my opinion, men enough to oppose the march of half the number to Richmond. Old ——— is at ——— with twenty thousand men, and is moving as cautiously towards the Potomac as if the banks were commanded by an army of Bonaparte's best legions, instead of a mob, composed for the most part of men who will only wait for an opportunity to desert a flag they detest. This war will last forever if something does not happen to unseat old ———. ——— in the West, with sixty thousand men under canvas, has not made a movement except let a few regiments march up the Baltimore & Ohio railroad, at the urgent solicitations of the people. So we go. Congress will probably catch us without our having performed any service worthy of the great force we have under pay.

I grumble this way all the time, and to everybody, in the hope that I may contribute to push on the column. I am very much in hopes we shall be pushed into action by the indignation of the people, if not by our own sense of what is due to the cause we have taken in hand.

On the day that I received my horses and artillery and was preparing to start on our expedition, the battle of Bull Run was fought. I had ascertained before, from a private source, that I was not to have any aid before the battle of Bull Run, and that some of my troops were to be withdrawn. Immediately after that battle, which was predestined to disaster on our side, as I shall take leave to make plain hereafter, an order came on the 24th of July that all my effective forces should be removed to Baltimore together with Colonel Baker. They had become so frightened at Washington that they supposed the secessionists of Baltimore would rise, while there was no more danger of it than there was of an outbreak at Boston. In fact, there never was at any time during the war so much of an outbreak at Baltimore as there was at Boston when the draft riots occurred; and that Boston outbreak was put down by a young officer of mine, Lieutenant Carruth, with two pieces of artillery, served by men who had not yet been mustered into service.

Of course this move of Scott ended all hope or expectation that anything further would be allowed to be done at Fortress Monroe. To make it sure that nothing more would be done, as Scott thought, he soon afterward sent a man to relieve me from command that could not do anything but simply occupy the position of commander

of that department, and leave me to do the work, and restrain me from doing anything.

General Wool's condition and Scott's knowledge of it will appear in the following correspondence: —

Fortress Monroe, August 8, 1861.

Col. Thomas A. Scott, Assistant Secretary of War:

*Dear Sir:* — May I ask if you have overlooked the order signed by the President for the raising of five thousand troops? I pray you get this thing through for me, and I will be obliged forever and ever. I am losing good daylight, now that the three months' men are being disbanded. Can you not add this to the many kind courtesies of our friendship?

Truly yours,

Benj. F. Butler.

Headquarters of the Army, August 8, 1861.

Major-General Wool, U. S. A., Troy, N. Y.:

It is desirable that you repair to and assume command of the department of which Fortress Monroe is the place of headquarters. It is intended to reinforce that department (recently reduced) for aggressive purposes. Is your health equal to that command? If yes, you will be ordered thither at once. Reply immediately.

Winfield Scott.

Headquarters Department of Virginia,
Fortress Monroe, August 11, 1861.

Lieutenant-General Winfield Scott:

*General:* — I have the honor to report the safe return of an expedition under Lieutenant Crosby, of my command, upon the Eastern shore, for the purpose of interrupting the commerce between the rebels of Maryland and their brothers in Virginia. I also enclose herewith a copy of a report of a reconnoissance of the position of the enemy, made from a balloon. The enemy have retired a large part of their forces to Bethel, without making any attack upon Newport News. I have nothing further of interest to report except the reception this morning of an order that Brevet Major-General Wool is directed by the President to take command of the Department of Virginia.

I have the honor to be, very respectfully, your obedient servant,

Benj. F. Butler,
*Major-General Commanding.*

There had been great complaint in the New York *Times* that General Wool had not been given some place where his great experience would have a fair chance to benefit the country. It was argued by the *Times* in an editorial after the battle of Bull Run, that there should be a dictator who should take Lincoln's place and carry on the war, and that George Law should be that dictator. As this was not done at once, there was a cry that the great State of New York should have another major-general in the army. It was urged that there was in New York a major-general of the regular army — General Wool — who had lived for a great many years in a state of retiracy, and that he should have a command in the army suited to his rank, and that it was the duty of the President to have him assigned to such command.

Now, the President well knew that General Wool could not do anything, simply because he was too old and infirm, a fact that he knew as well as anybody. It was evident, too, from Scott's letter that he also knew it, because he wrote Wool telling him that if his health would allow it, it would be desirable that he should be sent to Fortress Monroe. Thereupon Wool came there; but there was no order to relieve me, and I was not at liberty to leave the department.

Wool got there on the 17th of August, and I turned over the command to him. There was nothing I could complain of. A very much older soldier, and a very efficient military officer when he was younger, was ordered to command in my department; and although he had been assigned only to the Department of South Eastern Virginia, yet I supposed that meant the whole Department of Virginia and North Carolina. At any rate, I did not choose to struggle on that point, and so I turned over the command to him, using these words: — "No personal feelings of regret intrudes itself at the change in the command of the department, by which our cause acquires the services in the field of the veteran general commanding, in whose abilities, experience, and devotion to the flag, the whole country places the most explicit reliance, and under whose guidance and command, all of us, and none more than your late commander, are proud to serve."

Thereupon General Wool, who was lieutenant-general by brevet, immediately put me in command *of all the troops in the department except the regulars.*

HEADQUARTERS DEPARTMENT OF VIRGINIA,
FORTRESS MONROE, VA., August 21, 1861.

Special Order No. 9.

Major-General B. F. Butler is hereby placed in command of the volunteer forces in this department, exclusive of those at Fortress Monroe.

His present command at Camps Butler and Hamilton will include the First, Second, Seventh, Ninth, and Twentieth New York Regiments, the Battalion of Massachusetts Volunteers, and the Union Coast Guard, and the Mounted Rifles.

By command of Major-General Wool:

C. C. CHURCHILL,
*First Lieutenant, Third Artillery,*
*Actg. Asst. Adjt.-Gen.*

To show what General Wool thought as to my not having done any more, I take leave to transcribe his first letter to General Scott, August 24, three days after he was put in command: —

HEADQUARTERS DEPARTMENT OF VIRGINIA,
FORTRESS MONROE, VA., August 24.

LIEUTENANT-GENERAL WINFIELD SCOTT, GENERAL-IN-CHIEF:

*General:* — Allow me to ask your attention to the condition of the troops in this garrison. Of seven companies of artillery we have but six officers. It is reported to me that seven of the artillery officers have been appointed in the quartermaster's and commissary departments. I have been compelled to take Captain Churchill for assistant adjutant-general. This leaves but five artillery officers. Notwithstanding, however, Captain Churchill, although his duties are exceedingly onerous, attends to the duties of his company. From this circumstance, not finding a volunteer officer fit for the duty, I have been compelled to take Captain Reynolds, of the Topographical Engineers, for aide-de-camp, which I request may be approved. I require two more, as the assistance of Captain Reynolds is indispensable in the office of the acting assistant adjutant-general.

The Tenth New York Regiment is attached to the garrison of Fortress Monroe, but is wholly unfit for the position. As soon as I can make the arrangements, I intend to exchange this regiment for another and a better one.

To operate on this coast with success (I mean between this and Florida) we want more troops. At any rate, I think we ought to have a much

larger force in this department. If I had twenty or twenty-five thousand men, in conjunction with the navy, we could do much on this coast to bring back from Virginia the troops of North Carolina, South Carolina, and Georgia; but the arrangements should be left to Commodore Stringham and myself. I do not think it can be done efficiently at Washington. We know better than anyone at Washington attached to the navy what we require for such expeditions.

I have the honor to be, very respectfully, your obedient servant,

JOHN E. WOOL,

*Major-General.*

My friends, a great many of them, were very much disturbed by this position of things. They said that this action of General Scott was intended to slight me; that I was made second in command, and that I ought to resign at once and go home, and the people would set it all right; that Scott had never blamed me for the reverse of even a platoon under my command except at Bethel, and that there the movement was well planned and failed only because it had to be carried out by somebody else than myself, so that at any rate I was not to blame.

I told all my friends that I did not feel aggrieved at all; that I would beat Scott at his own game, as indeed I was already prepared to do; that he had sent Wool down without any instructions; that Wool could not go anywhere or do anything; that Wool did not like Scott any better than Scott did me; that Wool wanted all the work done by some one else while he had a nice place in the camp, and I wanted to do all the work I could do and have somebody else take the responsibility.

I had been watching the building of Fort Hatteras and Fort Clark. I had had some loyal North Carolinians for many weeks in the forts at work, and I proposed, as soon as I could, to take the forts, for they were very important. But it would be of no more use for me to ask Scott for any troops with which to do it than it would be to attempt to fly. No, he would not even let me take the troops I had or any part of them.

Therefore, as soon as General Wool got fairly in his saddle, I explained to him these matters about the forts at Hatteras, and the

great necessity of taking them. Now he was an officer in the regular army and I knew would never attempt such an expedition without a great many men with him; it must be a great expedition. Therefore I said nothing to him about how many men I thought it would need. I assured him, however, that there could be no danger of any attack either upon Newport News or Fortress Monroe, because I had sent up a balloon over a thousand feet so as to examine the whole country round about, and found that Magruder had retired to Bethel and Yorktown with his troops, and given up his expedition against Newport News. This, by the way, was the first balloon reconnoissance of the war.

I also told Wool that in his assignment Scott did not mean to let him do anything any more than he did me. I set out to him the exact condition of things in regard to Hatteras, and informed him that the navy was very anxious to make the attack, and if it were done while he was in command of that department, it would result in great glory to him as the first considerable success of the war. After my consultation with him, an order was drawn as follows, which he signed: —

HEADQUARTERS DEPARTMENT OF VIRGINIA,
FORTRESS MONROE, VA., August 25, 1861.

Special Order No. 13.

Major-General Butler will prepare eight hundred and sixty troops for an expedition to Hatteras Inlet, North Carolina, to go with Commodore Stringham, commanding Home Squadron, to capture several batteries in that neighborhood. The troops will be as follows: Two hundred men from Camp Butler and six hundred from Camp Hamilton, with a suitable number of commissioned officers, and one company (B) of the Second Artillery from Fortress Munroe. They will be provided with ten days' rations and water, and one hundred and forty rounds of ammunition. General Butler will report, as soon as he has his troops prepared, to Flag-Officer Stringham, and he will be ready to embark at one o'clock to-morrow. As soon as the object of the expedition is attained the detachment will return to Fortress Monroe.

Captain Tallmadge, chief quartermaster, will provide a detachment of eight hundred and sixty men for the expedition to Hatteras Inlet, with a suitable quantity of water for ten days' consumption, and the chief commissary of subsistence, Captain Taylor, will provide it with rations for the

same length of time. These officers will report the execution of these orders by ten o'clock to-morrow if possible.

By command of Major-General Wool:

C. C. Churchill,

*First Lieutenant, Third Artillery,*
*Act. Asst. Adjt.-Gen.*

Armed with the order we left Fortress Monroe at one o'clock on Monday, August 26. The last ship of our fleet but the Cumberland arrived at Hatteras about 4 o'clock on Tuesday afternoon. We went to work landing troops that evening and put on shore all we could, 345, when all our boats became swamped in the surf. Our flat boat was stove, and also one of the boats from the steamer Pawnee. We therefore found it impracticable to land more troops. The landing was being covered by the guns of the Monticello and the Harriet Lane. I was on board the Harriet Lane directing the landing of the troops by means of signals, and was about landing with them, when the boats were stove. We were prevented from further attempts at landing by the rising of the wind and sea.

In the meantime the fleet had opened its fire upon the nearest fort, which was finally silenced and its flag struck. No firing was opened upon our troops from the other fort, and its flag was also struck. Supposing this to be a signal for surrender, Colonel Weber, who was in command on shore, advanced his troops up the beach. By my direction the Harriet Lane was trying to cross the bar so as to get in the smooth water of the inlet, when the other fort opened fire upon the Monticello, which had proceeded in advance of us.

Early the next morning the Harriet Lane ran in shore for the purpose of covering any attack upon the troops. At the same time a large steamer was observed coming down the sound. She was loaded with reinforcements of the enemy, but she was prevented from landing. At eight o'clock the fleet opened fire on the forts again, the flag-ship being anchored as near as the depth of water allowed and the other ships coming gallantly into action. Meanwhile I went with the Fanny over the bar into the inlet. As the Fanny rounded in over the bar, the rebel steamer Winslow went up the channel having on board a large number of rebel troops, which

she had not been able to land. We threw a shot at her from the Fanny, but she proved to be out of range. I then sent Lieutenant Crosby on shore to demand the meaning of the white flag which had been hoisted. The boat soon returned, bringing the following communication from Samuel Barron, late captain in the United States Navy:—

FORT HATTERAS, August 29, 1861.

Flag-Officer Samuel Barron, C. S. Navy, offers to surrender Fort Hatteras, with all the arms and munitions of war; the officers to be allowed to go out with side arms and the men without arms to retire.

S. BARRON,

*Commanding Naval Defences Virginia and North Carolina.*

A verbal communication also was sent by Barron stating that he had 615 men in the fort and one thousand more within an hour's call, but that he was anxious to spare the effusion of blood.

To both the written and verbal communications I made reply as follows, and sent it by Lieutenant Crosby: —

Benj. F. Butler, Major-General U. S. Army, commanding, in reply to the communication of Samuel Barron, commanding forces at Fort Hatteras, cannot admit the terms proposed. The terms offered are these: Full capitulation; the officers and men to be treated as prisoners of war. No other terms admissible. Commanding officers to meet on board flag-ship Minnesota to arrange details.

After waiting three quarters of an hour Lieutenant Crosby returned, bringing with him Captain Barron, Major Andrews, and Colonel Martin, of the rebel forces. Upon being received on board the tug Fanny, they informed me that they had accepted the terms proposed in my memorandum, and had come to surrender themselves and their command as prisoners of war. I informed them that inasmuch as the expedition was a combined one of the army and navy, the surrender must be made on board the flag-ship to Flag-Officer Stringham as well as to myself. They went on board the Minnesota, and the capitulation was agreed to.

I will mention in this connection that at the moment that my terms of capitulation were under consideration by the enemy, the

transport Adelaide, crowded with troops, had grounded upon the bar; but by the active and judicious exertions of Commander Stellwagen she was got off after some delay. At the same time the Harriet Lane, in attempting to enter over the bar, had grounded and remained fast. Both were under the guns of the fort. This to me was a moment of the greatest anxiety. By these accidents a valuable ship of war, and a transport steamer, with a large portion of my troops, were within the power of the enemy. I had demanded the strongest terms, which he was then considering. He might refuse, and, seeing our disadvantage, renew the action. But I determined not to abate a tittle of what I believed to be due to the dignity of the government, nor even to give an official title to the officer in command of the rebels. Besides, my tug was in the inlet, and at least I could carry on the engagement with my two rifled six-pounders, well supplied with Sawyer's shells.

The harm to the enemy by this capture was very great. We had 715 prisoners, one thousand stand of arms, thirty pieces of cannon, one ten-inch columbiad, a prize brig loaded with cotton, a sloop loaded with provisions and stores, two light boats, a schooner in ballast, five stand of colors, and 150 bags of coffee.

But this was not all the damage inflicted upon the enemy. As long as we kept control of the sea, we could hold that post for all time with a small force. That was exactly what we did do, and with a very small force — less than one thousand men. By so doing we controlled the whole coast of North and South Carolina in the sounds, and held the water communication from Norfolk to Beaufort, South Carolina. Burnside's expedition afterwards never could have been sent out had we not held Hatteras.

The wonderful stupidity at Washington desired Hatteras Inlet stopped up, so that nothing could get into or out of it. So the fleet had supplied itself with two sand-laden schooners to sink in the inlet, where the sands floating around would have soon made dry land.

When I came there I saw the importance not only of having the inlet open but of guarding and defending it. I had positive orders from Washington to sink the sand vessels. With my usual "hazardous bravado" I came to the conclusion to disobey orders and not sink the vessels. I could do that with some safety, I thought, pro-

vided I got to Washington and carried the news of the capture myself.

Accordingly I had the wounded placed on board the transport steamer Adelaide, and had this vessel detached by leave of Flag-Officer Stringham of the navy,— a gallant officer, an energetic man, and a thorough gentleman, who had shown great capability and courage in that expedition, and who was rewarded for it soon after by being detached from his command and sent up to the Charlestown Navy Yard, near Boston, to superintend the repairing of hulks. He was to remain at Hatteras with the fleet to supply and defend the fort, until he should hear from me; and so I steamed night and day to Fortress Monroe.

Reporting to General Wool, I got leave immediately to go to Washington, or, as he expressed it, he sent me to Washington to report the matter, he agreeing with me that it was very necessary to hold Fort Hatteras and keep the inlet open. I went up the bay to Annapolis and left the wounded there, arriving there at a late hour in the evening. I immediately made requisition for a train to take myself and staff to Washington, and we started at eleven o'clock at night.

When we reached the junction of the Elkton Railroad with the Baltimore & Ohio, nineteen miles from Washington, I was informed that I could go no further that night. I asked why not, and the officer in charge said that they had no train in which to send me.

"I have a train of my own to go with," I replied.

"Well," said he, "I have been talking with your engineer, and he says it is dangerous to go."

"Well, I hope you haven't frightened him so he won't go," I replied. Going to the engineer I said: "Won't you go to Washington with me?"

"If you say I shall go, I shall go, General, but it is dangerous."

"Oh, well," I said, "I have not come here for safety. Why is it dangerous?"

He said that it was because there was only one track open, and there might be freight trains coming out of Washington, and that we might run into them, as they started some time about midnight.

"Well," I said, " we will detach all the cars and I will go with you on the engine;" and jumping on the engine, with one member of my staff, the rest remaining behind as there was no room for them, I said: "Let her go."

"Shall we go slow," said he, "so that we shall find out when a train is coming before we reach it, in time to back out?"

"With only your engine you ought to back out very quickly."

"Oh, well," said he, "but I want your directions."

"Very well; let her go as fast as she can go."

"Then," he says, "hold on to your cap, General," and we went that nineteen miles in forty minutes, and got into the depot at Washington five minutes before any train started out.

Dropping a twenty-dollar gold piece in the hands of the engineer, I got off, woke a sleeping negro in a carriage, and told him to drive up to Postmaster-General Blair's house, opposite the White House, as fast as he could. As I drove up I saw Mr. Blair and the Assistant Secretary of the Navy, Mr. Fox, sitting together in his study. I went in. Fox knew that I had gone on the expedition to Hatteras, for it was one in which he was much interested. When he saw me he cried out: "Where from?"



GUSTAVUS V. FOX,
Ass't Secretary of United States Navy.
From a Photograph.

"Direct from Hatteras."

"What news?"

I stated the result of the expedition. He was very much elated, and asked me to go right over and tell the President about it.

"We ought not to do that," said I, "and get him up at this time of night. Let him sleep."

"He will sleep enough better for it; so let us go and wake him up."

We went over to the White House and got the watchman up. It took us some fifteen minutes to do it, and I remember remarking to Fox that if I was on the other side I could have come here and captured the President and carried him off. Then we went up into the

Cabinet room. The President was called, and when our errand was hinted to him he immediately came in in his night shirt.

Everybody knows how tall Lincoln was, and he seemed very much taller in that garment; and Fox was about five feet nothing. In a few hurried words, without waiting for any forms or ceremonies, Fox communicated the news, and then he and Lincoln fell into each other's arms. That is, Fox put his arms around Lincoln about as high as his hips, and Lincoln reached down over him so that his arms were pretty near the floor apparently, and thus holding each other they flew around the room once or twice, and the night shirt was considerably agitated. The commanding general was entirely overcome by the scene, and lying back on the sofa roared with the most irresistible merriment.

It was the first considerable success that the navy had anything to do with up to that time, or, indeed, the army either, except at Baltimore and Annapolis. The President shook me very warmly by the hand, and when I ventured to speak about what I had not done, he said: "You have done all right, you have done all right. Come to-morrow at ten o'clock and we will have a Cabinet meeting over it."

I retired, and at ten o'clock the next morning I made my report to the President in Cabinet meeting. Among those present was General McClellan, whom I then saw for the first time. I explained the whole situation, giving reasons why I had not obeyed orders and stopped up Hatteras Inlet, and also stating the necessity for holding Fort Hatteras. On the next day I had the pleasure to report to my chief, General Wool, whom I never saw as such afterwards, that the Cabinet had voted unanimously that he should hold Fort Hatteras and Hatteras Inlet.

I had opened the way through Annapolis for the troops to save the capital; I had fulfilled my mission at Fortress Monroe; and by taking Hatteras I had atoned for capturing Baltimore and wiped out Big Bethel, all in a campaign of four months and fifteen days, besides showing the administration and the country the best way out of the slavery question. In all this time nobody else had done anything except to get soundly thrashed at Bull Run. Therefore I asked the President, as I had not been home since I left there on the 16th of April, if he would be kind enough to relieve me and

allow me to go home. His farewell when he shook my hand was characteristic: —

"You have a right to go home, General, for a little rest, but study out another job for yourself."

I may truthfully say, with pride and gratitude, that my road home was an ovation, but for a while my position was an extremely annoying one. Four months and a half before, the young lawyer had left Boston where he could go anywhere and everywhere and not be disturbed by anybody. The general now came back, and was not allowed to go anywhere or do anything without somebody interfering with him and insisting upon his being here or going there, with an enormous quantity of stuffing and feasting. It was so sudden a change from perfect freedom to a perfect slavery of kindness — from taking his constitutional walk in the morning any and everywhere, to not being able to go anywhere without a carriage, because he could not go through the streets for the multitude of hand shakings and greetings that he had to undergo — that it was hardly enjoyable.

It will serve, I hope, some future student of the art of carrying on war with volunteer troops, — and I am inclined to think that they are the only troops that we will use in large numbers in the future, on this side of the Atlantic at least, — if we examine some of the causes of the nation's failure at the battle of Bull Run, which had greater results and a more substantial effect on the country than any other in the war, except, perhaps, the battle of Gettysburg.

The battle ought not to have been fought at that time by any officer. It was a predestined and foredoomed defeat. It was fought under every condition of difficulty and discouragement with which it was possible to surround a battle. It was urged on in a manner and under an influence disgraceful to the common sense of mankind. The New York *Tribune* set up a clamor day by day, which had no foundation save in the half-addled brain of its editor, a man who had not strength enough to stand a political defeat in after years without going idiotically insane. His cry of "On to Richmond" was repeated by other newspapers, and in this way a great pressure was brought to bear upon the Cabinet, to which they more or less reluctantly yielded.

Scott, too, was practically about to retire and give way to some younger general as commander of the Army of the Potomac, and

practically as commander-in-chief. He saw in the movement towards Richmond the last chance of having any fighting done under his command; and as he wished to go out in a blaze of glory, he consented to it.

It is but fair to McDowell to say that he was reluctant to fight the battle. But he was urged on to fight it, as is shown by his report, for the very reason that he should not have fought it. He says: —

> I am somewhat embarrassed by the inability of the troops to take care of enough of their rations to make them last the time they should, and by the expiration of the term of service of many of them. The Fourth Pennsylvania goes out to-day, and others succeed rapidly. I have made a request to the regiment that they remain a few days longer, but do not hope for much success. In a few days I shall lose many thousands of the best of this force.

It is made very clear that for those very reasons he should not have fought the battle then. Substantially all his troops were going home soon and would not fight. They had been out for their three months, as they had engaged to be, and like schoolboys they were notching the days on a stick when they would go home.

McDowell was a captain three months before. He had had no experience in fighting troops. He was a brave man, but that was the last time he would get a chance to fight there at the head of the Army of the Potomac.

He speaks in that report of the men being well disciplined. An older general than he, I venture to disagree with him. Troops do not get disciplined in ninety days, especially if that is to be their term of service.

There are two conditions under which fresh troops, new troops, and especially volunteer troops, will fight well. The first is: When they are brought into the field for the first time and know nothing about the meeting; when they think that a regiment cut to pieces is not more than one third left alive, and when they really think they are to fight up to about that point. Under such circumstances they will fight well even if they hardly know enough of the school of the soldier to load their muskets rightly.

When in the course of conversation I have stated to some officers with what readiness new volunteers go into action if called upon to

act at once, I have had occasional doubt expressed, the doubters agreeing that they knew nothing on the subject. This has led me to examine the matter with considerable care, and I am confirmed in my opinion by the action of raw troops in several instances from my personal knowledge. But I think one of the very best illustrations I can give of the action of raw troops is in the case of a single Maine regiment, the First Maine Heavy Artillery, afterwards Eighteenth Maine. The regiment was raised and sent to Washington to guard the forts. It had never been in the field, nor heard a hostile shot. It was moved forward as fast as possible and joined Grant's army the night before the battle of Spottsylvania Court House. It went in eighteen hundred strong, and when it came out it was with a loss of four hundred and eighty-one killed and wounded, twelve of whom were officers, and five missing.

They were put into several battles, including Cold Harbor, down to the time of the crossing of the James, June 12. On the 18th of July, having about twelve hundred men fit for duty, it was ordered to make a charge in double rank, and came out losing six hundred and thirty-two killed and wounded, thirteen officers being killed and twelve others wounded. And I was told by an officer of that regiment that after that time they would not have assaulted a pig-pen.

The trouble comes when you put volunteers in camp, especially in the face of the enemy, and let them hear camp rumors, camp gossip, camp ghost and scarecrow stories about masked batteries and black horse cavalry. As if black horse cavalry were any more effective and terrible than white horse or sorrel horse cavalry! And yet, during our war, the black horsemen were always the ogre of our soldiers. Nor did the men ever stop to reflect that a masked battery did not do any harm as long as it remained masked, and that when it was unmasked and began to fire it was no worse to encounter than a battery of the same size that had never been masked. Men so instructed will not fight at all; they are full of all manner of surprises; they will run at nothing and be surprised at everything. And that was the condition of McDowell's army as far as the three months' men were concerned, and none but the regulars had been in the service more than three months.

The other condition under which men will fight, is after they have been in the service long enough and got sufficiently disciplined to

know how to fight; have had their first scare in a battle, and have learned that a regiment cut to pieces means a regiment that has lost one man in ten. Then they will fight better and better as long as they remain in the service, if they have proper officers, who treat them kindly and justly.

Then the three months' officers were always worse than the men. They were of necessity to be more exposed in action than the men. They generally had good homes and nice places to go home to, and a great many of them would say if they got out of this action they would never get into another.

Then there was another matter: Everywhere among green troops there is a chronic disposition to over-estimate the number of the opposing troops. The first duty of the commander should be to find out exactly how many troops there are in the bodies opposed to him. It is exceedingly easy to do that, but it was never done in the beginning of the war; and the fearful imaginations of officers multiplied their opponents wonderfully.

We have already seen that at Great Bethel, General Pierce and his men believed the fortifications, instead of being four were fourteen feet high, that the four guns were twenty, and that the five hundred rebels in the fortification were four or five thousand. And on the other hand, the rebels believed that the Yankee force of General Pierce that they saw was five thousand men, when there were really but eight hundred.

And so at Bull Run. The entire Union force, sick and well, was 35,732 men; whereas there is a printed estimate reported by the Confederate authority of 54,140. After the battle, the officers in charge of the prisoners captured by the rebels, having made a calculation by asking the prisoners what regiments or batteries they belonged to, gravely reported the Federal force on the field that day at 63,000.

And so exactly about everything else. The total actual loss of the United States troops in killed, wounded, and missing was 1,107. The total loss on the Confederate side, as reported by the rebel general, Joe Johnston, was 1,897. He naively concludes his report in that regard with the statement that the loss of the enemy could not be ascertained, but must have been four or five thousand.

There was another matter: Both sides left the field, and both sides

in their reports lied about the manner of leaving. Either side could have pursued the other; certainly the Confederate troops could have come into Washington without difficulty if they had chosen to come.

Again, Bethel and Bull Run are alike in another thing: In Bethel our people retreated because they thought they saw large numbers of reinforcements coming up. At Bull Run our troops retreated in disorder and gave way because they saw the cars coming in from Harper's Ferry loaded with Johnston's troops of the Army of the Shenandoah, and so they gave up all for lost. And the general idea of the people to this day is that the coming up of Johnston's army from Harper's Ferry on the afternoon of the battle as a surprise reinforcement was the cause of the loss of Bull Run.

Now, the reports on both sides show that Johnston evaded Patterson at Harper's Ferry in obedience to an order sent him on the 17th, and that he and all his army got down to Bull Run on the night of the 19th, and were in front of McDowell on the 20th; and so far from Joe Johnston's men coming into the action late on the 21st, and our men running away from them, these men bore substantially the whole brunt of the battle during the day, and lost more than twice as many men as did the rebel Army of the Potomac.

Besides, and in addition to all these disadvantages of the conduct of the battle, Johnston's force had been allowed by Patterson to escape him entirely, and Patterson never thought of following him up. If he had followed him up he could have been in Johnston's rear or on the left flank of the rebel army at the battle of Bull Run. But what could Patterson do? The rebel army had gone away from him, and he did not know they were gone until three days afterwards. He thought there were thirty-five thousand men before him, when there had been less than nine thousand, and they had gone down to operate on McDowell's right.

The battle of Bull Run illustrates every vice, weakness, and incapacity of officers and men, who were good and true undoubtedly, but in a condition in which they will never fight. So bad was it all that one might reverently believe that a special Providence ordered it, so that slavery might be wiped out. Because if we had beaten at Bull Run, I have no doubt the whole contest would have been patched up and healed over by concessions to slavery, as nobody in power was ready then for its abolition.

## CHAPTER VII.

## RECRUITING IN NEW ENGLAND.

MY return home under the circumstances related in the preceding chapter gave opportunity for occurrences at once very novel and diverting. When I got to Lowell, my friends and neighbors insisted upon showing me every honor and attention, which were accepted as tokens of personal friendship and regard. But there was another thing which I never heard of or read of before, and which showed me a curious phase of human nature. As I have said before, I had lived in Lowell from boyhood. I knew perhaps of its citizens, men and women, as many as anybody else, and I think more of them knew me by sight than any other citizen. But now persons whom I had known would halt on the sidewalk to see me pass; would get in my way to examine me and look me over (and this refers to both sexes); would surround me in depots and other public places and hem me in without a word, as if determined to see what change had been made in me, — whether I was the same man who went away a few months before. Particular friends, men that I had known, would do the same thing with doubtingness. It afforded a curious spectacle, and sometimes the sensation was not altogether pleasant.

For the first day I supposed it might be my uniform, and so I went back and got into my lawyer's coat, trousers, and slouch hat, thinking that would set them all right. But it didn't; and it has hardly ceased to be the case yet. I think I at last came to know what hero worship meant.

I have mentioned that just before being relieved from Fortress Monroe I had sent a little reconnoissance into Eastern Virginia on the peninsula to see if that section could easily be separated from

the rebel State. I had communicated with General Scott, and I found soon after I got home that General Dix was permitted to gather a force with which to make my expedition. I say "my," because the dates will show who originated it. Again, I found that General McClellan had awakened to the necessity and usefulness of an expedition to North Carolina via Hatteras and the Sounds, and that he had detailed General Burnside to come up here and raise troops for that purpose.

There were things enough to be done, but there began to be great difficulty in getting troops enough to do those things. This was because recruiting had come to an absolute standstill. Senator Henry Wilson, who was the chairman of the Committee of Military Affairs of the Senate, had openly said in the Senate that no more troops were needed; that recruiting ought to stop. He was also on General McClellan's staff. But Wilson did not echo the wishes of his chief, for even then McClellan was demanding more troops for the Army of the Potomac.

My attention being called to this matter of recruiting, I examined it with some care. I found that the war was dwindling into a partisan one. The governors of States insisted upon having all the troops under their own administration and control. They thus obtained the appointment of all the officers of regiments, including the colonels. The governors of substantially all the States were Republicans, and the army was being recruited almost entirely by the friends and *protégés* of the Republican governors. These men enlisted their Republican neighbors and associates, and then, to eke out their companies so that they could be put at the head of them, they recruited all the scallawags there were in their neighborhood, and not unfrequently robbed the houses of correction and the State prisons, the governor pardoning the prisoners on the condition that they should enlist.

It struck me very forcibly that if this thing went on, it would very soon become a party war, and if that took place it would be very disastrous because it might bring about a division of the North.

Perhaps I can better explain all I mean about this by stating exactly what I did about it. I think I had spent about seven days in Massachusetts when I was invited to speak in Faneuil Hall, at a meeting to promote the prosecution of the war. I wrote to that

meeting that I could not attend because I went in for vigorous prosecution of the war, and as evidence of it I had gone.

When I reached Washington I called upon the President. He received me very kindly and conversed with me about several matters which interested him. One of them was upon the question of punishing desertion by death. I had observed how much the army was losing by desertion and that there was no punishing for that crime. I advised him very strongly to punish deserters ruthlessly by death, until, in the Army of the Potomac at least, desertion should be stopped. At this time men were deserting and going home, and then selling themselves for substitutes or enlisting to fill the quota of some other town, getting large sums of money to go back again. Some of them even would desert from the troops of one State and get appointed officers of the troops of another State.

The President was a good deal disturbed by the arguments I put before him, but at last he came round and said, with a face that showed a very sorrowful determination:—

"How can I have a butcher's day every Friday in the Army of the Potomac?"

"Better have that," said I, "than have the Army of the Potomac so depleted by desertion that good men will be butchered on other days than Friday."

But we never convinced each other on that subject; it was the one subject on which we agreed to disagree. That I was right and he was wrong I may have occasion to show hereafter.

"Mr. President," said I, after we had finished discussing the matter of desertions, "when I accepted the commission with which you were kind enough to honor me, I told you that we had disagreed in politics, but that so long as I held the commission I should fully and faithfully sustain all the acts of your administration, and when I felt that I could not do that, I would return the commission. But you asked me to promise to lay before you any matter upon which I disagreed with you, before I took that step. Accordingly I have come here to lay before you your method of carrying on this war as it strikes me, and to put before you what I think must be the result if some change is not made. I can speak freely, because the thing to which I wish to call your attention is not your fault but your mis-

fortune, and were it not for that fact it would be deadly to your administration and your cause."

"To what do you refer?"

"To the method in which your armies are being raised. I, as you know, had nothing to do with recruiting a single soldier, but I have lately been at home looking into the matter. I find all the good men of your army are Republicans as a rule, or are all scallawags, State prison birds, and other vagabonds, picked up to fill out enlistments. As I told you, I am a Democrat. Now there are no Democrats as privates or subordinate officers going into the war. There are none going in as officers except they are West Point men, who are made colonels of regiments at once, although in the course of their profession they would have had to work twenty years before they would have obtained that rank. The subordinate officers have gathered up what men they could from their Republican neighbors. The Democrats in their localities, not having any confidence in their politics and looking substantially upon the war as a Republican war, are taking no part in it.

"This seems to me to be bad statesmanship. The President of the United States can raise, as he has the right to raise, volunteer troops of the United States. When he employs the militia of the United States as such, he must employ the militia of the States; but he has full right to enlist volunteers to carry out special objects of the war.

"Think of it a moment, Mr. President. Suppose the governors of the States should refuse to raise any volunteers; would not the President of the United States have a right to draft men for the service of the United States, and when he drafts such men could he not appoint officers to organize and draft them without the leave of the governors of the States? Furthermore, if the present methods of recruiting go on until the election, which is next year, and then you have a million of men or so in the field, you will be short that number of Republican votes because your voters will be in the field.

"You may perhaps get the States to pass laws, by constitutional amendment or otherwise, that your soldiers may vote outside of the State, yet that would be attended in ordinary election with a great deal of mischievous trouble and quite probable delay. Your aim

should rather be to get every Democrat possible in the war. Get leading Democrats and they will bring in their rank and file, their clientele, who believe in them and would rally about them."

He said: "There is meat in that," which, by the by, was a favorite expression of his; "but what would you advise me to do?"

"Well, I will begin with myself; I am out of a job. I have a movement in mind that I hope you will put in my hands. But it cannot be done, and you cannot even put it in anybody's hands, until you get some men; and it ought to be begun at least early in the spring, the preparation being made for it during the coming fall or winter. Give me the authority and the money to organize and pay the troops with, and I will go to New England and enlist six to ten thousand men. I will have every officer a Democrat,— that is, if I can have the appointment of the officers, subject to your approval. I won't reject any Republicans that want to be enlisted, but I will have four fifths of every regiment good, true Democrats, who believe in sustaining the country and in loyalty to the flag of the Union, and who will fight for their country under command of officers I shall choose. And if I succeed, you had better try it in a good many other States."

"Well, but what will you do with the governors?"

"I won't have any difficulty with the governors of any of the States in New England but one. I will try not to have any difficulty with him, but I do not believe I shall succeed, but I shall enlist as many men as I want notwithstanding him."

"I suppose you refer to Governor Andrew?"

"I do; and if he knows the project in which I am enlisting he will not only try to stop it in our State, but he will try to interfere with it everywhere. He is covering your table now with complaints of your administration and of your manner of carrying on the war. I shall be glad if you will assist me in this by asking the governors to aid me and appoint such officers as I desire to have appointed."

Said he: "I think you had better do it; draw such an order as you want."

And thereupon I drew one and had it signed by the Secretary of War, and approved by the President. The order was as follows: —

Maj-Gen. B. F. Butler is hereby authorized to raise, organize, arm, uniform, and equip a volunteer force for the war, in the New England States, not exceeding six (6) regiments of the maximum standard, of such arms, and in such proportions, and in such manner as he may judge expedient; and for this purpose his orders and requisitions on the quartermaster, ordnance, and other staff departments of the army, are to be obeyed and answered. Provided the cost of such recruitment does not exceed in the aggregate that of like troops now or hereafter raised for the service of the United States.

I came home, and the first New England State I struck was Connecticut. Her chief magistrate was Governor Buckingham, than whom a nobler, truer, or more loyal man did not exist. I told him I wanted to enlist a regiment under that order.

"Well, General," said he, "whom do you want for colonel of your regiment?"

"I want Mr. Henry Deming, late mayor of Hartford."

Be it known that Mr. Deming was with me at the Charleston convention. He was a thorough Democrat, and even a little more pronounced on the slavery question than I was. As mayor of Hartford he had called the city council together to consult if my troops should be allowed to go through Hartford on the way to the war. He was a true, loyal man, who did not believe in having a war, but who was a patriot to the core. He died the first Republican representative to Congress that was ever elected in the Hartford district.

"Why," said the governor, "Deming will never go to the war in the world."

"Well, Governor, if you offer him the appointment and he doesn't go, it will be his fault and not yours, won't it?"

"Oh, well, I will appoint him if you desire, but I don't think it will do any good; you will have to select somebody else, I guess."

"It may be so," I said; "I guess I will go and see Deming."

So I walked over to Mr. Deming's office, called upon him, and after the usual chat between old friends, I said: "Deming, I am going to raise a regiment in Connecticut for a special service, and I want a good man for colonel,—I want you."

"Well, if you do, you cannot have me, because Governor Buckingham would never appoint me."

"Then I suppose if he would, you would serve with me. I cannot tell you now what the service will be, but it will be a highly honorable one, and I hope a fortunate one. You had better not let this great war go by without taking a hand in it in behalf of the country, for the sake of your posterity."

"But do you think Governor Buckingham will appoint me?"

"If he won't, you will have done your duty. But I think he will; I think he will not only appoint you but will let you nominate to him every officer of your regiment, and will expect you to raise the men,— and I expect you to raise them Democrats, every one of them, like you and me."

"General, you are wild."

"Very well," I said; "put on your hat and let us go over and see the governor, and see whether I am wild or not."

So we walked over together, and I said:—

"Governor, I spoke to you this morning about raising a regiment in Connecticut for special service. Now I want to recommend to you as colonel of that regiment to raise the men, my old Democratic friend, Mr. Deming, whom you know very well, and I want you to give him full sway in raising his men and nominating the officers, because I want a Democratic regiment out of Hartford."

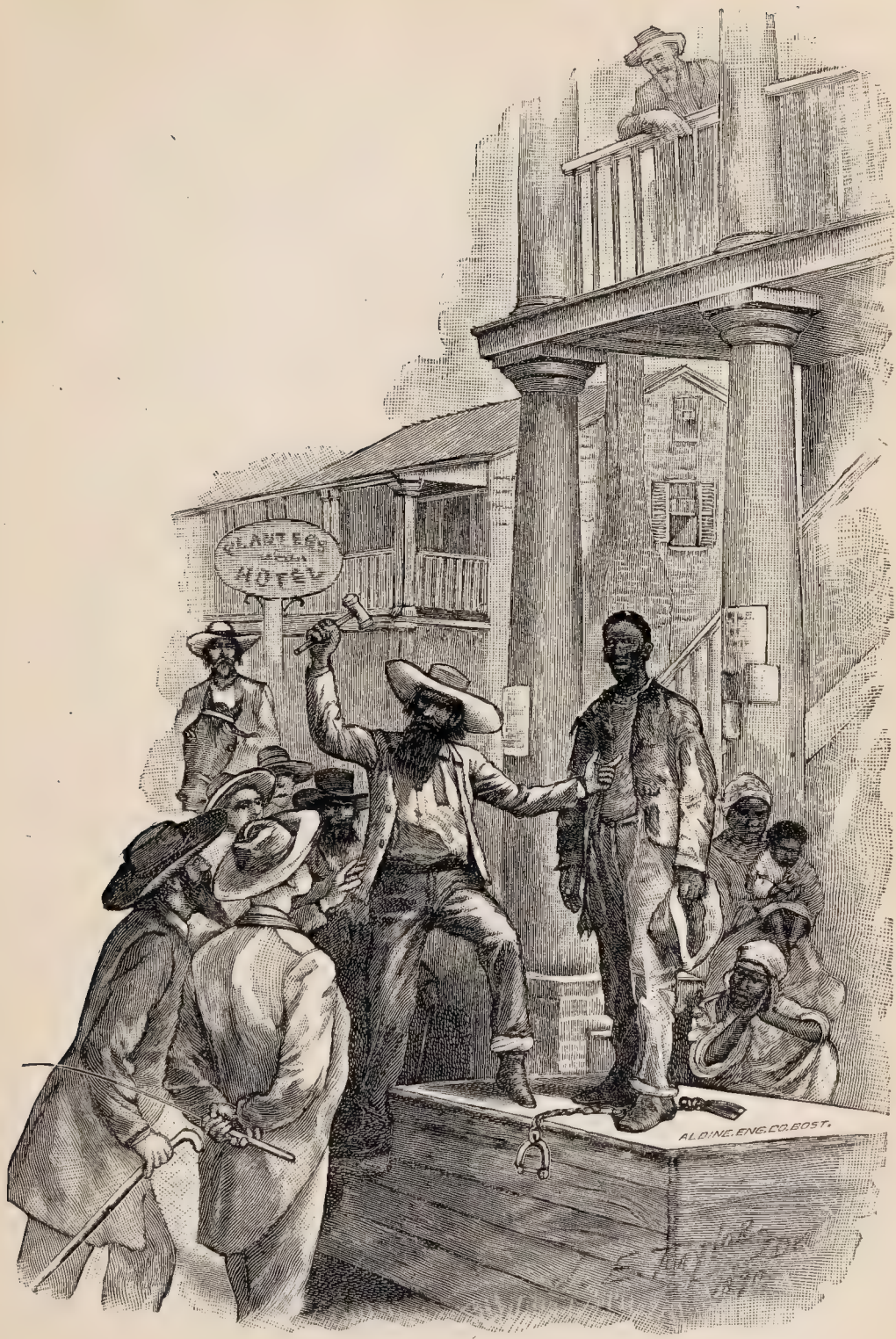
"I hope you will get it and another one too," said the governor; and then to Deming: "If you will serve, I will have your commission made out at once."

It was done, and Colonel Deming took his oath of office. I walked down with him to his house and congratulated him upon his appointment, with which he was as pleased as a child with a rattle.

I went thence to Vermont and met Governor Fairbanks. I talked to him pretty much as I had to Governor Buckingham. I told him that I wanted two gentlemen who had been my associates in the Charleston convention appointed colonel and lieutenant-colonel of a regiment which I desired to raise in Vermont.

"You shall have them," said he.

"And I want from Vermont a battery in addition,— you have good horses here,— and I will have my men select their own horses; I have a right to pay for them."




THE CAUSE OF THE WAR.

To this he agreed. Col. Stephen Thomas was appointed colonel of that regiment.

I then came down through New Hampshire, and met Governor Roby; and he agreed that I might have my selection of colonel of the New Hampshire regiment. I had in that State a very long-time Democratic friend, Capt. Paul R. George, who had been a quartermaster under General Cushing in the Mexican War, and was afterwards appointed chief quartermaster of General Scott's division, in which he served through that war. We were the warmest personal friends, and I had in mind for the colonelcy his brother, Lieut.-Col. John H. George, a staff-officer of the governor. Lieutenant-Colonel George was a very close friend of Ex-President Pierce, then alive, and was one of the best advocates in New Hampshire, and one of the most reliable Democrats. I saw him, explained what I wished to have done and have him do, and said to him: —

"You have a family growing up around you. Don't you let it be said to them that their father took no part in the war for his country."

John consented to go. When his brother Paul heard of it he was overjoyed. We had it all arranged; but when Colonel George informed Pierce of it, the ex-president stood out bitterly against it, and said everything he could say to dissuade the colonel from accepting the position which the governor was ready to give him.

Notwithstanding Colonel George's high respect for Pierce, he felt it was the turning-point of his life, and he remained firm in his intention of raising a regiment. But Pierce looked upon the going to war of his law partner at the head of a New Hampshire regiment as having a significance of great weight to the Southerners as to the unity of sentiment of the North. He determined to prevent it, and as a means he "plowed with the heifer."

Mrs. George, the wife of the colonel, and the mother of several young children, would have been left in somewhat straitened circumstances, as then appeared, if the colonel went to the war. Therefore Pierce represented to her that life in camp was very dangerous to the morals, and destructive to the requirements and business of a lawyer, and that the war was likely to be a long one, and that her husband's business would be entirely broken up, and that his con-

nection with the army would be distasteful to his clients, and would entirely destroy his influence as a rising politician in the State. Also, that as Colonel George was a very brave, daring man, he would be very likely to get killed in action, if he did not die by disease.

All this matter was reported to me by his brother, the captain, who said that he was afraid that his brother's wife would keep him at home. "But," said he, "I will try one thing to prevent it. He knows that I have been married so many years that I am not likely to have any children. My wife is a woman of good fortune of her own, and I will go to Mrs. George and tell her that if she will let her husband go to the war, I will make my will in favor of himself and of herself and children, not to be revoked in case of his death, so that his family, in case of disaster to him, shall at least have substantially all that I have got for their future support."

He did go and make that offer, which of course was duly reported by the wife to General Pierce. The ex-president met it by saying that there could be no will that might not be revoked, and that the captain might revoke it in case of her husband's death, and that in fact it was no provision at all. So that Pierce beat us, and I lost my colonel and my regiment from New Hampshire, for I knew no other man who I believed would have raised a regiment of Hunker Democrats for the war in New Hampshire at that time.

Don't let me be misunderstood. A great many Hunker Democrats enlisted for the war and fought nobly and bravely. But those who were men in position were deterred, from the fact that they could hold no place in the war as officers, and the cry went out from the "copperhead" press that this was to be a Republican abolition war, and not a national one. Meanwhile a regiment was raised by Governor Roby in the usual way, and a young West Point lieutenant was appointed colonel. But McClellan took the regiment away from me to Washington, and soon gave the colonel a very considerable promotion. This young man was afterwards captured, together with sixteen horses,— an event which gave rise to Lincoln's famous *bon mot* of that time. When the capture was reported to him, he said drily: "Well, I can get brigadiers enough, but where am I to get sixteen horses?"

While negotiations were going on for the New Hampshire regiments I came to Massachusetts and called upon Governor Andrew. I had called soon after my first arrival home to pay my respects, but now I disclosed to him my business. He said that he had promised the first two regiments that he should raise to Captain Sherman, who wanted to make an expedition to Port Royal, and he desired me to wait until those regiments could be got ready, before I commenced to recruit. I said to him that I wanted two regiments from Massachusetts because I was quite sure I could not get any from Rhode Island, and that I would wait until I had visited Maine before I commenced recruiting in Massachusetts. We parted amicably enough. I did not say anything to him about my idea of recruiting a regiment of Hunker Democrats, because I was almost certain that he would not agree to appoint Democratic officers. He had detailed one at the very first of the war, and had been sorry for that detail ever since.

I then went to Maine and saw Governor Washburn. I told him I wanted a regiment and a battery, and that I wished that he would appoint as the colonel, George F. Shepley, Esq., who had been United States Attorney for Maine. He was a Democratic leader and had been with me in the Charleston convention.

"Certainly," said the governor; "what a good thing it would be if Shepley would only go."

"I have seen him," I replied, "and I can assure you that he will."

For the command of the battery I recommended Captain Thompson, one of the best artillery officers that I ever knew, as well as one of the most pronounced Hunker Democrats. But I may say here that when he got to New Orleans and saw the iniquities of the system, he turned out the most virulent opponent of slavery in my command, save Phelps.

I then went to Rhode Island, and was treated with great courtesy and consideration by the governor. He told me that he much regretted he could not aid me in recruiting a regiment in Rhode Island, because General Burnside, a citizen and afterwards senator of that State, was getting ready an expedition to make an attack upon North Carolina through Hatteras Inlet, and the governor promised that he should have every Rhode Island man who could be raked or scraped together in the State. I told the governor that I

appreciated fully his situation so far as to agree that I had no claim upon him compared with that of his own general.

I returned to Massachusetts and saw Governor Andrew once more. He said that he had appointed Colonel Jones, who had led the Sixth Regiment through Baltimore, to raise a regiment to be denominated the Twenty-Sixth Massachusetts, and that Colonel Jones already had the regiment partly raised, and that he would assign that regiment to me, and I could encamp it where I chose. He further said that I could then go on with my recruiting, and that he would turn over a skeleton regiment for me to recruit.

A skeleton regiment meant one there was nobody in but the principal officers. I knew some of the men who proposed to be officers of that regiment, and in any view of the matter I should just as lief not have them. However, all I said was: —

"I will accept Colonel Jones' regiment, and we will go to work. I will confer further with you, with your leave, as to the second regiment. I suppose you will take my nomination of its officers:"

To this he made no reply, and we again parted amicably.

I procured the Agricultural Fair Grounds, within a couple of miles of my house at Lowell, as a place of encampment, and named it Camp Chase, and in a few days I got a large number of recruits. I was fully content with Colonel Jones, of whom I had a very high appreciation. He was well known as a leading Democrat, and still remains in that position as lieutenant-governor of the State of New York. Meanwhile, except for those recruits who came to me because of their respect for my position, and because of their confidence in me and my officers, recruiting had substantially ceased in the State. It was difficult to get many soldiers.

Massachusetts was very far behind in her quota, and she always remained so until she imported Germans in large numbers to fill up her ranks, and, in the latter part of the war, sent down to Virginia and paid money to have negroes whom I had enlisted in the service of the United States and duly mustered, credited to the quota of the several towns of Massachusetts. When this last performance came to my knowledge, some of the agents who were doing it went into the guard-house, and those who were not put there ran away home, and that fraud was stopped. And with all that under the performances of her administrative officers, Massachusetts had the disgrace

of a draft, intensified by a draft riot, which had to be put down by force of arms.[1]

All of my recruits were credited to the State, and I suppose I may modestly and loyally suggest that it would have been better to allow me to recruit some few Democrats, — and an event happened which would have brought thousands of Irishmen into my ranks, — than to have had these disgraces of Massachusetts, which otherwise might have been the foremost State in the Union in everything to sustain the government, as she was the first under the lead of a Democrat to go to the defence of the capital.

As soon as I got my camp properly established I called upon Governor Andrew again and informed him that upon reflection I preferred not to have the second regiment made up of recruits as they would be recruited by the State officials; that I preferred to have them, if I could get them, a regiment of Democrats, every officer to be a Democrat, and especially the colonel, and I explained to him my reasons. I told him that I had the permission of the President to have the recruiting of a New England division of Democrats, and I wanted them of the most pronounced and well-known type ; that I should want in addition a battery of artillery and a squadron of cavalry similarly officered; and that I desired to recommend the officers to him for his appointment, subject, however, to the withdrawal of anyone whom he did not choose to appoint for reasons affecting his character and standing.

"Whom do you want for colonel?" said he.

"I think Col. Jonas H. French will make as good an officer as anyone I know."

"Why," said the governor, "French helped break up a John Brown meeting."

"Yes," said I, "that is why I want him. He showed a disposition to fight somebody if necessary, and I guess he can get most of his friends who went to that meeting to go with him."

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[1] A draft, under the law of Congress, was carried into effect in Massachusetts in the months of June and July, 1863, and was entirely an abortive affair as far as men were concerned. There were enrolled, between the ages of twenty and forty-five, 164,178. Then there were names of persons drawn from the box, numbering 32,079. Of these 6,690 were held to service, and of this number only 743 joined the service; 2,325 procured substitutes. Twenty-two thousand three hundred and forty-three were exempted, and 3,044 failed to report, that is, they left for Canada or elsewhere, and 3,623 paid commutation. So that the whole number of drafted men and substitutes of drafted men sent to camp was 3,068; and of these, 2,720 were assigned and sent to the regiments in the front, — that is, the draft produced three regiments of men.

"You cannot have him," answered the governor.

"Do you know anything against him?"

"That is enough; I do not want anybody to enter the war for the Union who holds such sentiments."

"But I do want exactly that kind of men to compose my command."

I then named over the colonels and officers — for their names had not yet been made public, — whose appointments I had secured from the governors of the other States, and told him that the other governors had made no objection. Governor Andrew was very much astonished.

"And Governor," I added, "I want you to recommend the Hon. Caleb Cushing, who was president of the Charleston convention, as a brigadier-general to go with me into war."

"He is a friend of Jeff Davis," was the reply.

"Yes," I said, "and immediately after the firing upon Sumter he put himself in his speech at Newburyport wholly on the side of the Union."

"Well," said the governor, "I certainly shall not do that."

"Oh, well," I said, "I know he some time ago called you a one-idea'd abolitionist, and that was true, although it was not a pleasant thing to say. But certainly his ability and his position in the country would seem to entitle him to the place if he would take it, and I think he will."

"But I will not appoint French, and I will not appoint any other officer of his way of thinking in a Massachusetts regiment."

"Very well, Governor, I shall appoint him, on the authority given me by the President, and he will recruit a regiment."

"He won't if I can help it."

"He will, Governor, if he can with my help."

Thereupon I left him, and although I called upon him once afterwards, I never saw him again to confer with him until the campaign was over.

He immediately came out with various orders in the newspapers, abusing me and my enterprise of recruitment. I went to Washington and saw the President and General Scott, and in order that I might not be overruled by any military order of Governor Andrew as commander-in-chief of the Massachusetts militia, I asked for the

creation of the military department of New England, and that the department be placed under my command. An order to this effect was given me on the 1st of October, in the following words: —

The six New England States will temporarily constitute a separate military department, to be called the Department of New England; headquarters, Boston. Maj.-Gen. B. F. Butler, United States Volunteer Service, while engaged in recruiting his division, will command.

Soon after this an order was issued by the governor or some member of his staff, that the family of no soldier who enlisted under my command should have State aid.

Recruitment was drooping very much. But, feeling certain that Massachusetts would in any event pay State aid to all the soldiers who fought the battles of their country in her ranks, independent of any personal spite of her governor, who had the good quality of cultivating malignity as a parlor plant, I started a recruiting camp at Pittsfield in the western part of the State. It was under Lieutenant-Colonel Whelden, a good Democrat, and in a remarkably short time he put the camp into the finest possible order. I went up to review the regiment, and found it a very considerable one. Then, in order that my soldiers should not be discouraged on account of their wives and children, I published a letter, in which I guaranteed State aid to the families of every one of my recruits. This letter was in the following words: —

Camp Seward, Pittsfield,
Tuesday, Jan. 7, 1862.

Lieut.-Col. Whelden, Commanding Western Bay Regiment:

*Colonel:* — I have been much gratified with the appearance, discipline, and proficiency of your regiment, as evidenced by the inspection of to-day. Of the order, quiet, and soldierly conduct of the camp, the commanding general cannot speak in too much praise.

Notwithstanding the difficulties of season, opposition, and misrepresentation, the progress made would be creditable if no such obstacles had existed.

In the matter of the so-called State aid to the families of the volunteers under your command, I wish to repeat here, most distinctly, the declaration heretofore made to you. I will personally, and from my private means, guarantee to the family of each soldier the aid which ought to be

furnished to him by his town, to the same extent and amount that the State would be bound to afford to other enlisted men, from and after this date, if the same is not paid by the Commonwealth to them as to other Massachusetts soldiers; and all soldiers enlisting in your regiment may do so upon the strength of this guarantee.

I have no doubt upon this subject whatever. The Commonwealth will not permit her soldiers to suffer or be unjustly dealt with, under whosoever banner they may enlist.

The only question that will be asked will be, Are these men in the service of their country, shedding their blood in defence of its Constitution and laws? If so, they stand upon an equality with every other man who is fighting for his country, and will be treated by the State with the same equal justice, whatever may be the wounded pride or over-weening vanity of any man or set of men.

I love and revere the justice, the character, the equity, the fame, and name of our glorious old Commonwealth too much to doubt of this for a moment, and will at any time peril whatever I may have of private fortune, upon the faith engendered by that love and reverence.

Accept for yourself, personally, and for your officers, my most earnest thanks for the energetic services which you have rendered in the recruitment of your excellent regiment.

Most truly your friend,

BENJ. F. BUTLER,
*Major-General Commanding.*

That was thought by some newspapers to be a very risky and hazardous undertaking on my part. But again they were mistaken; there was no risk in it. The towns paid the State aid, and as every town wanted every soldier enlisted in it to be credited to its quota, I knew they would, as they did, pay the State aid, and there was neither risk nor hazard about it. Besides I knew a bird in the hand was worth two in the bush, and therefore I got an order from the War Department that all troops enlisted under my command should have a month's pay in advance, and the governor could not get any such inducement. My enlistments were for special service, and he had declined to enlist anybody for that special service.

My enlistments went on. Besides Colonel Jones' regiment I raised two other regiments in Massachusetts, and named them the Eastern and Western Bay State Regiments. I appointed the

officers, and they reported to me and were duly recognized and received their pay, and sailed with me for Ship Island.

I also got another regiment very curiously; and I give the story, because it will show what discipline can do.

Passing through Connecticut I called upon Governor Buckingham, who said to me: "You can do me a great favor, General."

"What is that, Governor? I will do it if it is possible."

"I have almost a regiment, something more than eight hundred men, all Irishmen, enlisted and encamped here near Hartford. I cannot get the regiment up to a thousand men so as to have it mustered in and have officers appointed. They are naturally good men, but they have been idle here for months, and they are wholly without discipline and without control. They are an actual nuisance. I wish you would take them in your division, and then there will be one more regiment for you; and you can take them to your camp where you can control them; I cannot control them here any longer."

"Governor," said I, "I will send an order for them by my quartermaster and his assistant, with directions to have them brought in the cars to Lowell, if you give an order that they shall march."

"I will, and with pleasure."

So the Ninth Connecticut was sent for. Their fame preceded them, and their conduct on the route to Lowell fully justified their fame. They managed to tear the roof off of all the cars of the train which they were in. They so delayed the train that when they got to Groton Junction, twenty miles from Lowell, it failed to connect, and they had to stay there all night. Groton Junction was a little village, and they proceeded to ransack it for liquor, and they found some barrels of it, which they brought away with them. When they arrived in Lowell the next morning, under charge of a detachment which had been sent for them, they were lying packed in the cars like herring in a box. They were tumbled into army wagons and carried up to the camp. I happened to be there when they came in. I had their officers called to me, and I looked them over. They seemed to be good enough men, and only one or two were any the worse for liquor. Their colonel was a very superior man.

As I rode down town, I got a note from the mayor informing me that a special meeting of the city council had been called, and an appropriation voted for the expense of employing five hundred

special constables to keep the peace against the Connecticut regiment. I told the mayor and aldermen to keep their constables out of the way or they might get hurt, and that I would take care that the peace was kept.

There was around our camp a board fence, some nine feet high. I put the usual number of sentries on the inside, but I doubled the number outside the fence. I directed the officer of the guard to instruct his sentries on the inside not to have any quarrel or trouble with the men unless they were attacked. But the picket guard on the outside were to be instructed, whenever they saw a man swinging his body over the fence, to poke him back with their bayonets, using the bayonet on that part of him where they would have the most room, and to do it effectually.

The next morning, as usual, I went up to the camp. It was reported to me that the men behaved well enough until about midnight, when they woke up pretty hungry and very dry. The night was not very dark, there being a small moon. They looked around and saw the fence. After a while a body of them got together, and raising the cry "Connicticut over the fince," they rushed against the fence and climbed up. But the first man that swung over was put back on the point of a bayonet, and so on until it was found not to be a pleasant entertainment. In fact, they had to stay where they were, and to put up with coffee the next morning.

I caused them to be paraded in a hollow square, and walked into the square and told them that I would have no more such conduct as that of the previous night; my orders would be enforced to the letter, and they had been treated more leniently than they ever would be again. I then called the officer of the guard to bring to me the man who first put one of the jumpers back over the fence with his bayonet. He came up blushing and looking as if he did not quite know what would be done with him. I said to him: —

"My man, can you read and write?"

"Yes, General."

"You have done your duty well. Mr. Officer of the Guard, report this soldier to the colonel and tell him to appoint him sergeant."

Then, addressing the men, I said: —

"Now, my men, I am going to put the guard to-night around the outside of this fence with their muskets loaded with ball cartridges,

and if any of you attempt to get over the fence that way again I will make the man who first shoots one of you a lieutenant."

I never had any serious trouble with the Ninth Connecticut. They would get a little liquor, but that was done very ingeniously. Generally my officers of the guard found them out. One of their tricks, I remember, was very curious: A great, portly woman used to come in to see them — and she seemed to have a good many friends among them,— and they would gather about her chatting and evidently in perfect accord. But the officer of the guard observed that one or two who stood behind her seemed to have their heads bowed down. An investigation showed him that our visitor had a very considerable sized rubber tube wound all around her person under her dress. This tube had been filled with liquor, and was provided with a faucet which was concealed under her cape, and for a consideration anybody could take a pull at it long enough to get a good drink. She was cautioned not to visit the camp, and dismissed.

Their ranks were filled up, and I took considerable personal pains to see that they were well cared for and well taught.

The effect of that discipline exhibited itself in this. When I occupied New Orleans I wanted to encamp a regiment in Lafayette Square, a small park in the centre of the city. The streets around it were inhabited by the best families. I chose the Ninth Connecticut. They remained in camp about three months, and so well did they conduct themselves that when I was about to move them elsewhere and put another regiment in their stead, because they had had a soft place long enough, I had a very large petition presented to me of all the neighbors of their camp to have them remain. Their conduct was so exemplary, their care of the children who went to play in the park so tender and kind, that the inhabitants hoped that I would allow them to stay, as they did not think I could send them another regiment that would please them so well.

When the Ninth Regiment was on Ship Island, a party of them was sent out to the upper part of the Island to relieve a detail from the Twenty-Sixth Regiment, who were cutting wood. It was foggy when they came to the place of meeting, and as the two bodies of men came near each other of course the first thought was they must be Confederates, each seeming so to the other. Both began to get ready for a fight, when an Irishman of the Ninth said: "Be me sowl,

I believe, Captain, that these are the Twenty-Sixth's boys. Let me find out; I will give them the countersign."

"Mike, you fool, what countersign have you?"

"Oh, aisy, Captain;" and he stepped forth and cried out: "Connicticut over the fince."

The men on both sides broke out into roars of laughter, and all danger of a collision was averted.

Meanwhile Governor Andrew, aided by the two Massachusetts senators, Sumner and Wilson, was doing everything he could to move the President and Secretary Cameron to interfere with my authority to make enlistments. The governor wrote most personal and abusive letters regarding me to the senators, and then published them. I do not think it affected Wilson much, because he had been a Whig, a Know-Nothing, and a Free-Soiler, according to the changes of parties, and did not take Abolitionism much to heart; but Mr. Sumner did everything he could do to disturb me and to serve Andrew.

Sumner had plenty of leisure for this sort of thing. Although he was in the Senate for more than a quarter of a century, ten lines of laws upon the statute books of the United States drawn by him are yet to be found.

There was one thing that affected my recruiting favorably, more than all Governor Andrew's performances did unfavorably.

On the 7th of November, 1861, Commodore Wilkes, with the San Jacinto, captured the Trent, having on board Mason and Slidell, the rebel emissaries to England and France. The Trent was an English passenger boat, — and of course a mail steamer, — and England was in name neutral. That is to say, her people were with the North, her government held itself apparently impartial, and her aristocracy and monied class were entirely with the South. Captain Wilkes treated the Confederate commissioners very fairly and properly; and through his courteous kindness to the passengers of the Trent and the owners of the vessels he committed a mistake in point of law which it was claimed rendered his capture illegal. This mistake consisted in not bringing in the vessel, so that he might submit his capture to the courts. He did not apparently know that this was necessary, and, in order not to discommode the considerable number of English passengers by bringing them to the



ANDREW JACKSON BUTLER.

United States instead of letting them go on to England,— probably thinking that the owners of the Trent might also be considered,— he did not bring the vessel in as a prize.

These proceedings of Wilkes created the most intense excitement. There was great glee on the part of the true Americans of this country when it was learned that the rebel emissaries had been captured. There was great sorrow on the part of the South, except that they believed that England would undertake to resent the seizure, as she did, and then their sorrow turned to joy. After England did undertake to interfere, there was regret for the seizure on the part of the timid and nervous good people of the North.

The manner and course of action of the government of England was wholly unprovoked, unjustifiable, and in violation of the courtesies due between friendly nations, and in disregard of her own conduct in like cases. The usages of diplomatic propriety demanded of her that she should, without offensive expression, or action, or implication of any sort, call upon this country to explain the capture of the rebels, or to indicate what claim would be made by the United States upon the men thus captured, and what reparation or apology, if any, we would make to England for a wholly unintentional violation of her dignity. On the contrary, the British Cabinet flew into a passion. They ordered a considerable force of troops to be sent to Canada, and ordered a large number of vessels sent to Halifax, and they sent over to Canada a little general who was not then (or ever) a general. And this they did before our government could know officially or properly what had been done.

To appreciate the utterly useless folly of this movement of troops and vessels on the part of Great Britain, we have only to reflect that the capture was made on the 7th of November. She could not possibly have got her troops started until the first of December, and then her ships and troops could never have got farther than Halifax, as the ice of winter would have sealed up the St. Lawrence and all the other rivers of Canada.

England ought also to have remembered that at one time in the case of one of her rebellious provinces, Quebec, she found herself in this same difficulty in sending her troops over to put down the rebellion, and had to ask the consent of our government to let the troops pass over our territory. Now if they were forced to go

to war about the Trent matter they would have to ask the same courtesy of our government to get their troops into Canada, unless they forced their way over our territory, and that was a game at which two could play.

It is almost a ludicrous event that, in fact, England was forced to ask our consent in this case, that her troops might pass over our territory, landing them at Portland, to fight us upon their arrival on her own ground, and that our government consented, which was a poignant sarcasm upon the use the troops would be to her in Canada.

Gen. Caleb Cushing was the ablest international lawyer of this country, and he had the reputation in Europe of being the ablest in any country. He was with me at that time, and I could have had his services as brigadier-general in the expedition to New Orleans, had not his appointment by the President been rejected by the Senate. This was done because Wilson, who was chairman of the Military Committee of the Senate, was afraid of Andrew, and Andrew had demanded the rejection of Cushing because he was not a "one-idea'd Abolitionist" as Andrew was.

General Cushing examined with me the questions of law and precedents involved in the Trent affair; and we came to the conclusion, as did the Secretary of State after reading that paper (I do not say because of), that against England there could be no doubt what the law of nations in such cases was, if she would take her own interpretation.

I need not pause to give more than a single English precedent: —

Henry Laurens, of South Carolina, a delegate to the first Congress and a prominent patriot, accepted the mission from our Revolutionary Government in 1778, of minister to the Hague, got on board a [French neutral vessel, and proceeded on his mission. He was captured by an English frigate and carried to England. His papers were taken from him, and he was imprisoned in the Tower of London for three years, not being allowed to communicate with his family or his country. He was exposed to every indignity, and regained his liberty only when the War of the Revolution ceased after the signing of the treaty of peace between England and her former rebels. More than that, England declared war on Holland on the ground of the papers her officers took from Laurens.

From the first England would look at the Trent affair only as a cause of war. The whole country desired that our government should hold Mason and Slidell, and for a time we did hold them. But after much consideration Mr. Seward, always fearful that England would do something against us, consented to return Mason and Slidell, upon the ground that the Trent, although captured, was not brought in. That was a subterfuge on our side, and a sneak on England's side. If the capture of these men was such an offence against the dignity of England, simply letting them go did not seem much of a reparation of that wounded pride, being on a technical point only. It seemed to me to be a good deal like this: A man is arrested for being a thief and counterfeiter. He and his friends bluster loudly against that charge and demand his release. The captor says: "Well, I will let him go, as there is a technical defect in the warrant;" and the rescuers are satisfied.

For myself, I am obliged now to declare, as I did then, that it was the most fatal mistake on our part that could have been made, not to have a war with England if she chose. Oh! says one, we would have had the whole English army upon us. To that I answer: England of her own soldiers has never had more than twenty-five thousand men on any one battle-field. The time has gone past for buying Germans to fight her battles. We had more soldiers starve at Andersonville than England had men at Waterloo — and a larger part of those at Waterloo were commanded by an Irishman. We were raising armies by hundreds of thousands. If England had attacked us, the vast advantage would have been that it would have made our war a foreign war, in which everybody must have taken part, North and South, who was not a traitor to his country. No Democrat or Copperhead party could have resolved against the war in that case. It would have been a war in which everybody must of necessity have engaged, in one form or another, to save the life of the country. Whoever fought for England and against us at the South would have been a traitor to his own portion of the country. Canada would not have been in our way at all. Ninety days would have enlisted Irishmen enough to take Canada. That could have been taken by contract. It was the beginning of winter; the frost had made a bridge over every stream, and a road for march could be built many miles a day to any place. The

Canadian barns were all full and would have been depositories of forage. There would have been no difficulty about our soldiers eating the pork and bacon there stored up for winter use, and the cattle there would not have been running loose.

I said when I began this topic, that it was a source of aid to my recruitment. So it was, for when patriotic Irishmen began to learn that there was a chance for war with England, they came to me in squads. And if I had said to them: "Yes, I want you to march to Canada and take that first, and then for the western coast of Ireland, or against any Englishmen we can find against us down South," I could have filled up not only one or two regiments in Massachusetts, but eight or ten. No Copperhead would have hesitated to go into my ranks in such a war. We could have had no hesitation in setting free the whole negro population of the South to enlist and fight our battles against England.

But, says another, England with her fleets would have bombarded our cities and blockaded our ports. As to the bombardment of our cities, that is a bug-a-boo which might have been more potent then than it would be now. We have since demonstrated that bombardment does not do a great deal of harm to a city. We bombarded the little city of Charleston for eighteen months steadily, and we did not do $50,000 worth of actual damage; we did not kill as many men in Charleston as we burned tons of powder. There will be no more bombardments of forts even, since the fiasco of Porter at Forts Jackson and St. Philip. Bombardments as matters of importance in war will take their place with bayonet wounds and sword cuts.

I was casting my eye the other day over a page of the consolidated report of the wounds received at the battles of North Anna, from May 21 to May 26, 1864. In these engagements the total strength of the army was 51,659, and the whole number of wounded was 1,046. There was just one bayonet wound and no sword cut. Yet we all remember we were told how reckless the enemy was in charging upon our men "sword in hand and with bayonets fixed."

As to the expenses of the bombardment of our cities: If England had declared war, by the rules and laws of war that act would have confiscated all the debts our people owed to the subjects of the crown of England, and also all property of English citizens in this country. I think that would have quite offset the loss of plate glass in Broadway by a bombardment.

As to the question of soldiers: A Russian fleet lay in our harbor month after month, waiting and ready to take part with us whenever we should say that Great Britain was our declared as well as our actual enemy. England would have wanted all her soldiers, and all that she could have got or paid for, to take care of the Indies against Russia. And the Russian fleet would have made a very respectable defence, and would now, for New York harbor.

It may not be out of place here to say that the certain confiscation of many millions of debts the South owed to the North was a great inducement to the commercial classes of the South to go into the Rebellion.

If the administration had had the courage to make such war with England what it would and ought to have been under the circumstances that I have above set forth, our Rebellion would not have lasted two years, and would not have cost one quarter what it did in men and money.

But, says another, England would have raised the blockade of the South, and would have imported into the rebel States everything that their people wanted. Assuming that could have been done, there are several answers. When England had raised the blockade of the Southern States she would have blockaded the Northern ports. That would have prevented the balance of trade between our country and Europe — which was against us all the time, impoverishing us many millions of dollars It would have stopped the great number of old and young men with their families going to Europe to live, their large expenditures, another source of depletion of our resources, all being in gold.

We had within the United States every material to make munitions of war, and the war had not progressed far before we did make them all. In fact, we were absolutely obliged to throw away the Austrian and Enfield rifles we at first purchased abroad for use here. We should have then discovered exactly the capabilities which each section of our country had as to its resources for carrying on the war. Our blockade made the South entirely economical. Our open ports made us exceedingly extravagant. If England had opened to the world the trade for cotton and tobacco with the South, it would have excited the desire for those luxuries claimed to be necessities, and paved the way to the indulgence in them.

When we shut up the ports of the South, during the four years of the war, we raised for them ten crops of cotton. That is to say, our blockade raised cotton from ten cents, its price at the beginning, to one dollar a pound at its close. The price of tobacco, too, was increased six fold. A great storage of cotton and tobacco in the South was the foundation of their European loans. Cotton and tobacco were all the property they had to use for that purpose, and their government held it and did so use it. The last loan was the "Cotton loan," which could not have been taken for a dollar if this article had not been kept in the South, and its price raised by our blockade.

Indeed, in all the markets of the world for the production of cotton goods, cotton so increased in price during the war that it was a serious temptation to England to acknowledge Southern independence in order to get cotton to supply the industries of Manchester. The South did not suffer for arms, neither heavy ordnance nor infantry, weapons nor munitions, during the latter years of the war. The greatly enhanced price of cotton made blockade running immensely profitable; and as the Confederate government had half of all the cotton which ran the blockade with which to buy arms and munitions of war, that supplied the South very fully.

It will be remembered that at the opening of the war the wise men who governed the country through the newspapers, taught us to believe that war would so disorganize the labor of the South and diminish its agricultural productions that the South would be quickly impoverished, not being able to raise crops with which to obtain any supplies from abroad. And this stated fact was to be greatly relied upon to cripple the South. The results were exactly to the contrary.

The first conscription act of the rebel congress enrolled into some sort of military service every man between the ages of sixteen and sixty. But the owners of twenty slaves were exempted, so that, in the first year of fighting, cotton and tobacco production were not materially interfered with, and in addition, as we have seen, our blockade raised the price of every pound of cotton and tobacco ten and six fold respectively. This was to our great disaster. Mr. Lincoln saw this, and once said to me, at a later period in the war, that if he could have his way he would let everything be imported into the South save munitions of war and provisions. I am fully of the belief that one cause of the extravagant bitterness shown toward

the North by the Southern women of the higher classes, was that our blockade compelled them to wear home-made, and therefore unbecoming, dresses.

Any intelligent reader, looking upon these facts, will agree with me that a war with England would not have changed the result in this country except to have brought it about much sooner. Of men England had no supply worth notice, and besides, Russia was watching for her opportunity to wrest from England her Indies.

Let me also add in passing, that there need never be any fear of war by England with this country in the future. She and her citizens are pouring money into American investments by the millions of dollars annually, thereby giving bonds in billions of money to keep the peace with us and be of good behavior to all the world.

England had statesmen fully capable of appreciating all the propositions above set forth, and was guided by them in the determination of questions of war between England and this country.

In view of this, I am, and ever have been, firmly of the opinion that war with England over the Trent affair was utterly impossible. Following her whole course of diplomacy, she relied upon her bullying a weak-kneed Secretary of State into complying with an unjust demand, and accepted a subterfuge for an apology.

The Trent discussion, which lasted from the 15th of November to the 23d of December, 1861, caused a delay in my embarkation for the South because I had not my troops ready early enough to take General Dix's place in the expedition to the eastern peninsula.

The attention of the government had also been called toward Mobile, but an expedition thither did not seem to be a matter which would make a diversion of the enemy's plans. General McClellan suggested Texas, and asked me to get up a paper on Texas, showing its condition, capabilities of being attacked, and what would probably be the result of its occupation. Myself and staff went to work, each on a special kindred topic, to examine fully and with great care the relations of Texas to the war. The general was pleased to compliment our report.

Meanwhile Captain David D. Porter had been for some time preparing a quantity of mortar vessels to bombard southern forts. Indeed he had reported that they were all ready, but he did not actually get them ready for months.

The navy desired an expedition made against New Orleans for the capture of the Mississippi River, and Mr. Lincoln was anxious that a fleet should go up the river and open that great avenue of transportation. This would relieve the western men along its banks by bringing the trade back to New Orleans.

I caught at the idea at once when it was made known to me. But it was necessary to conceal the movement, and accordingly after I was assigned to it, I talked Mobile louder than ever, and gave out that my expedition was to go to Ship Island, near Mobile. But Ship Island was equally as effective against New Orleans. Ship Island was selected by Pakenham for a rendezvous for the British fleet in his attack on New Orleans when defended by Jackson, and by carefully examining his reports to his government, it was easy to get the knowledge necessary for a movement in that direction.

I had my transportation all engaged and was ready to make sail whenever the matter was decided, when a telegram came: —

"Don't sail; disembark the troops."

It had never occurred to me to put my troops on board vessels until the day when they should actually start, for it ought not to be ten hours' work to break camp and embark. I could not tell what this telegram meant, and I went immediately to Washington. There I found that the Mason and Slidell matter was in such a condition that it might (as it should have done) result in war with England if she so desired. And if it did, I should have to send down and bring back the part of my troops that had been sent to Ship Island instead of carrying any more there.

We waited some twenty or twenty-five days after the 23d of December, when Seward had given his official answer upon the Trent matter, before it was finally decided, and the decision officially communicated to our government by England.

During that time, preparations were all completed, camps were broken up, men were got on board ships, horses were forwarded, and two thousand troops remaining at Boston, belonging to my expedition, were shipped, and the Constitution sailed for Fortress Monroe. When I reached Washington General McClellan consented to have appointed such staff as I asked for, and after consultation with

me, made out my orders. But for some reason then unexplained they were not issued, and the expedition did not start.

Whenever a thing that I do not understand happens, I always investigate. Anxious to know why the orders had not been issued, I looked the matter up. I found that General McClellan was very much averse to having the number of men I needed taken away from the army around Washington. He very much wanted two hundred thousand men there, and he had but one hundred and ninety thousand. He did not care with that force to move against the rebels, who had more than two hundred thousand men as he believed. In fact, he had been peremptorily ordered to move against the enemy on the 22d of February, and disobeyed the order. For all this, I could not understand why such an important movement as that assigned to me should remain unattended to for so many days. I guessed what was the matter, and remained on the ground at Washington, leaving my troops with the Constitution at Fortress Monroe. But I took care to have them disembark from the vessel and put them on land.

There was but one ear in Washington that was always open to me, the President's. He was then embarrassed, as I happened to know, from the fact that he could not get McClellan to move. Even the President himself was doubtful about the number of troops on the other side of the river. It so happened that I was a warm friend of Senator Wade, who was chairman of the Committee on the Conduct of the War. He was very anxious to have a movement, and was chafing under the inactivity very much. He asked me my opinion about the rebel force opposite Washington. He summoned me before the War Committee, and I had to give it under oath. Not only that, but I was made to give my reasons for the opinion, and I happened to have some to give. They were dated the 12th day of February, 1862, and appear in the report of the Committee on the Conduct of the War.

Following is my estimate, taken from the report: —

| Ewell's Brigade, consisting of — | Estimated Strength. | Reported. |
|---|---|---|
| 5th regiment Alabama volunteers . . . . . | 600 | |
| 6th do. do. do. . . . . | 600 | |
| 6th do. Louisiana do. . . . . | 600 | |
| 4 guns, Walton's battery, 12 howitzers . . . . . | 60 | |
| 3 companies Virginia cavalry . . . . . | 180 | |
| | —— | 2,040 |

Holmes' Brigade (reinforcements added on 20th of July, as reported) —

| | Estimated Strength. | | Reported. |
|---|---|---|---|
| Infantry | 1,265 | | 1,265 |
| 6 guns | 90 | | 90 |
| 1 company of cavalry | 90 | | 90 |
| 2d regiment Tennessee volunteers | 600 | | |
| 1st Arkansas volunteers | 600 | | |
| | —— | 2,645 | |

D. R. Jones' Brigade —

| | | | |
|---|---|---|---|
| 5th regiment South Carolina volunteers | 600 | | |
| 15th do. Mississippi volunteers | 600 | | |
| 18th do. do. do. | 600 | | |
| 2 guns, Walton's battery, 6 pounders | 30 | | |
| 1 company cavalry | 60 | | |
| | —— | 1,890 | |

Early's Brigade —

| | | | |
|---|---|---|---|
| 7th regiment Virginia volunteers | 600 | | |
| 24th do. do. do. | 600 | | |
| 7th regiment Louisiana volunteers | 600 | | |
| 3 guns, rifled, Walton's battery | 45 | | |
| | —— | 1,845 | |

Longstreet's Brigade —

| | | | |
|---|---|---|---|
| 1st regiment Virginia volunteers | 600 | | |
| 11th do. do. do. | 600 | | |
| 17th do. do. do. | 600 | | |
| 2 guns, Walton's battery | 30 | | |
| | —— | 1,830 | |

Jackson's Brigade (reinforcements added on 20th of July) —

| | | | |
|---|---|---|---|
| 4th regiment Virginia volunteers | 600 | | |
| 5th do. do. do. | 600 | | |
| 2d do. do. do. | 600 | | |
| 27th do. do. do. | 600 | | |
| 33d do. do. do. | 600 | | |
| 13th regiment Mississippi volunteers | 600 | | |
| | —— | 3,600 | 1,261 |

Part of Bee's and Bartow's Brigades, all that had arrived; new regiments, estimated fuller than the others —

| | | | |
|---|---|---|---|
| 2 companies 11th Mississippi volunteers | 150 | | |
| 2d regiment do. do. | 700 | | |
| 1st regiment Alabama volunteers | 700 | | |
| 7th regiment Georgia do. | 700 | | |
| 8th do. do. do. | 700 | | |
| | —— | 2,950 | 2,732 |

| | Estimated Strength. | Reported. |
|---|---|---|
| Bonham's Brigade — | | |
| 2d regiment South Carolina volunteers | 600 | |
| 3d do. do. do. do. | 600 | |
| 7th do. do. do. do. | 600 | |
| 8th do. do. do. do. | 600 | |
| 6 guns, Shields' battery | 90 | |
| 6 guns, Delkemper's battery | 90 | |
| 6 companies Virginia cavalry | 360 | |
| | | 2,940 |
| Cocke's Brigade — | | |
| 18th regiment Virginia volunteers | 600 | |
| 19th do. do. do. | 600 | |
| 28th do. do. do. | 600 | |
| 6 guns, Latham's battery | 90 | |
| 1 company cavalry | 60 | |
| Reinforcements added on 20th July: | | |
| 7 companies 8th Virginia volunteers | 420 | |
| 3 do. 49th do. do. | 180 | |
| 2 do. cavalry | 120 | |
| 4 guns, Rogers' battery | 60 | |
| | | 2,730 |
| Evans' Demi-Brigade: — | | |
| 4th regiment South Carolina volunteers | 600 | |
| 1 battalion Louisiana volunteers | 600 | |
| 4 guns, 6-pounders | 60 | |
| 2 companies cavalry | 120 | |
| Added on 20th: | | |
| Stuart's cavalry (Army of Shenandoah) | 300 | |
| 2 companies Bradford cavalry | 120 | |
| 8 guns (Pendleton's) reserve | 120 | |
| 5 guns (Walton's) reserve | 75 | |
| 6 companies Hampton's legion (arrived from Richmond) | 600 | |
| | | 2,595 |
| Add, also, Army of Shenandoah, not in position on the morning of the 21st, but came up during the day as reinforcements, | | 2,334 |
| | | 27,399 5,438 |

RECAPITULATION OF BRIGADES.

| | |
|---|---|
| Ewell's Brigade | 2,040 |
| Holmes' Brigade | 2,645 |
| D. R. Jones' Brigade | 1,890 |
| Early's Brigade | 1,845 |
| Longstreet's Brigade | 1,830 |
| Jackson's Brigade | 3,600 |
| Bee's and Bartow's Brigade | 2,950 |
| Bonham's Brigade | 2,940 |
| Cocke's Brigade | 2,730 |
| Evans' Demi-Brigade | 2,595 |
| | 25,065 |

This is as the army was posted in the morning, including the Army of the Shenandoah, then in the field.

| | | |
|---|---|---|
| To this is to be added the garrison of Camp Pickens, Manassas, say | | 2,000 |
| Also the remainder of the Army of the Shenandoah, which came up during the day | 2,334 | |
| And Hill's regiment | 550 | |
| Making | | 2,884 |
| Aggregate | | 29,949 |

ANOTHER VIEW.

*Regiments and companies, by States, mentioned in Beauregard's report.*

| | Estimated. | | Effective Strength. |
|---|---|---|---|
| Virginia, 1st, 2d, 4th, 5th, 7th, 10th, 11th, 17th, 18th, 19th, 24th, 27th, 28th, and 33d, being 14 regiments, estimated at | 300 | 8,400 | |
| 6 companies of 8th regiment, 3 companies 49th regiment, and 6 companies Hampton's legion | 60 | 900 | |
| 23 companies cavalry | 60 | 1,380 | |
| | | | 10,680 |
| Tennessee, 1st regiment (1) | | 600 | |
| North Carolina, 5th, 6th, and 11th regiments (3) | 600 | 1,800 | |
| South Carolina, 2d, 3d, 4th, 5th, 7th, and 8th regiments (6) | 600 | 3,600 | |
| Georgia, 7th and 8th regiments (2) | 600 | 1,200 | |
| Alabama, 1st, 4th, 5th, and 6th regiments (4) | 600 | 2,400 | |
| Mississippi, 2d, 15th, and 18th regiments (3) | 600 | 1,800 | |
| 2 companies of the 11th regiment | 60 | 120 | |
| Louisiana, 6th and 7th regiments (2) | 600 | 1,200 | |
| Wheat's battalion, 4 companies, and 6 companies of 8th regiment | 60 | 600 | |
| Arkansas, 1st regiment (1) | 600 | 600 | |
| Maryland, 1st regiment (1) | 600 | 600 | |

Add 50 guns, manned by 15 men each—

| | | | | |
|---|---|---|---|---|
| Walton's battery | 16 guns. | | | |
| Pendleton's do. | 8 ,, | | | |
| Imboden's do. | 6 ,, | | | |
| Shields' do. | 4 ,, | | | |
| Latham's do. | 4 ,, | | | |
| Alburtis' do. | 4 ,, | | | |
| Kemper's do. | 4 ,, | | | |
| Rogers' do. | 4 ,, | | | |
| | 50 guns. | 15 | 750 | |
| | | | | 15,270 |
| Aggregate | | | | 25,950 |

It will be seen that, whether the estimate be taken by brigades or by regiments and corps from States, we come to nearly the same result, and we are warranted in believing the assertion of Beauregard in his official report that the whole number of the army at Manassas was less than 30,000 after the junction of Johnston.

Suppose the whole number of regiments to be filled up, taking the highest number from each State, then the whole army raised by the Confederate States, wherever situated, would be, on that day, as follows:—

| | | | | |
|---|---|---|---|---|
| South Carolina, | 8 | regiments, at | 600 | 4,800 |
| North Carolina, | 11 | do. | 600 | 6,600 |
| Georgia | 8 | do. | 600 | 4,800 |
| Alabama | 6 | do. | 600 | 3,600 |
| Mississippi | 18 | do. | 600 | 10,800 |
| Louisiana | 7 | do. | 600 | 4,200 |
| Tennessee | 1 | do. | 600 | 600 |
| Arkansas | 1 | do. | 600 | 600 |
| Maryland | 1 | do. | 600 | 600 |
| | | | | 36,600 |
| Add Virginia, 49 regiments, but we know that these are "*militia numbers*," and it is impossible for her to have had more than all the other Confederate States; so we will say 20 regiments of infantry, at 600 | | | | 12,000 |
| Total infantry | | | | 48,600 |
| Add 20 batteries artillery, at 90 | | | | 1,800 |
| Add 6 regiments cavalry, at 600 | | | | 3,600 |
| Grand total | | | | 54,000 |

This must have been the entire force of the Confederate Army, as we know that the Mississippi numbers are militia numbers, and that the North Carolina numbers are also militia, because I captured the 7th North Carolina Volunteers at Hatteras, on the 28th of the following August, and they had been organized but a week.

But it may be asked, How do we know that these were not the earlier regiments, and others of much higher numbers had been raised and in service elsewhere; or that large reserves were not left at Manassas, and not brought up?

| | |
|---|---|
| Beauregard says the whole Army of the Potomac was, on the morning of the 21st July | 21,833 and 29 guns. |
| The Army of the Shenandoah was | 8,334 and 20 guns. |
| Total | 30,167 |

Beauregard also says, in his report of the battle of Blackburn's Ford, July 18, Rebellion Record, Part X., page 339:—

"On the morning of the 18th, finding that the enemy was assuming a threatening attitude, in addition to the regiments whose positions have already been stated, I ordered up from Camp Pickens (Manassas), as a reserve, in rear of Bonham's brigade, the *effective men of six companies* of Kelly's Eighth Regiment

Louisiana Volunteers, and Kirkland's *Eleventh Regiment* North Carolina Volunteers, which, having *arrived the night before en route for Winchester*, I had halted in view of the *existing necessities of the service.*"

With any considerable force at "Camp Pickens" (Manassas), would this regiment either have been stopped *en route*, or the effective men of *six companies only* ordered up as a reserve?

In his report of Bull Run, July 21, Beauregard also speaks of the "intrenched batteries at Manassas" being under the command of Colonel Terret.

Is it possible that the rebels have been able to more than quadruple their forces in the last six months, with the whole world shut out from them, over what they did in the first six months?

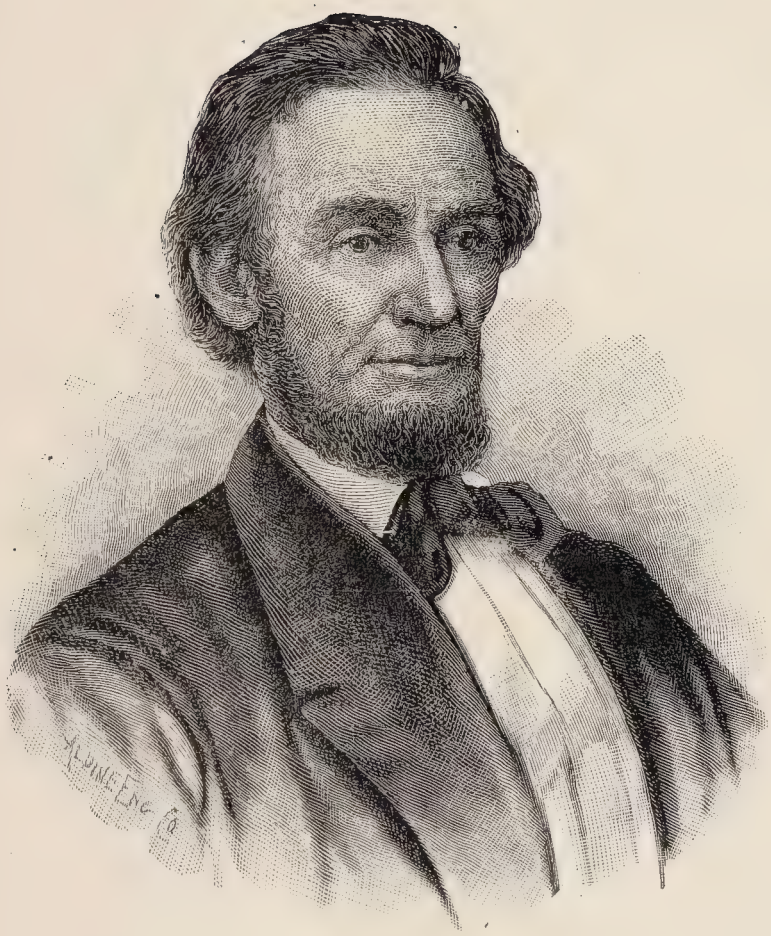
All which is respectfully submitted.

BENJ. F. BUTLER.

February 11, 1862.

There was understood to be some feeling between General McClellan and the President because McClellan did not move, his excuse being all the while the small number of his troops and the great excess of those of the enemy. McClellan, however, held everything with a high, strong hand, and what he wanted he had. The Committee on the Conduct of the War were known to be very much opposed to him, as he certainly was to them. This fact is now known, but at that time it was only conjectured. A short time after it became known that I had given my testimony before the committee, General McClellan asked me if I had any objection to telling him what the substance of my testimony was. I told him that I had not the slightest objection. I did not know at that time what his testimony had been, and certainly not what his estimate was, for while in Washington I had been very busy about my own affairs. He appeared very much surprised at my testimony. He questioned me as to the source of my knowledge. I told him that of personal knowledge I knew nothing of course, but I sketched to him how I made up my calculations. He said that I must be wrong, that he knew that there were a great many more troops than that. I answered squarely: "Well, your knowledge of course ought to be vastly superior to the best verified calculations upon which I have come to my opinion."

I handed him my analysis of the number of troops which had been in the battle of Bull Run, which number had been substantially verified by actual reports, and then added my further calculations upon the same basis, and made in two different ways, to show that



ABRAHAM LINCOLN.
From Portrait.

those rebel troops could not have been much more than doubled within the succeeding six months. My conclusion was that there were not more than sixty-five thousand effective troops opposite Washington.

The rebel general, Joe Johnston, moved off his troops in March, just before McClellan made his movement from Washington against them, and Johnston's report as published in the "War Correspondence" now shows that I was not five thousand out of the way, not reckoning the small force that was below Alexandria. But I did not include the "Quaker" guns, i. e. the wooden ones, that were mounted in the rebel intrenchments near Centralville, and McClellan's bureau of information had evidently included in their estimate the number of men required to man these.

I thought as we parted that General McClellan did not seem quite as cordial as when we met.

When I saw Mr. Lincoln, as I did within less than two days, he put to me the same question as to the number of troops. I told him that if he would take it without asking my reasons for it I would be glad to tell him, but if he required me to go over the reasons, I must get the paper containing my calculations, or a copy of it. He said that was not worth while. I briefly sketched the reasons, and in answer to his questions I replied, in a very emphatic manner, that I felt as certain of my estimate within a few thousand as I could of anything in the world.

"Assuming that you had one hundred thousand effective men in Washington," he said, "and were permitted to move over the river to attack, would you do it?"

"Certainly I would, Mr. President, and if it was of any use I would ask for the privilege. But you have abler commanders than I, Mr. President, and what I want is to go off with my command to New Orleans."

"I won't say, General, whether I will let you go or not."

I then began to plead a little and said: "Why not let me go? You have got enough troops here, and I am only to have some regiments from Baltimore."

"I agree with you," he answered, "as to the number of troops we have got here; that is not the reason for your detention."

I at once pressed for the reason why I was not permitted to go, and thereupon I found that an order had been issued by General

McClellan to disembark my troops at Fortress Monroe, and to return them to Baltimore.

I immediately began to look the matter up. I telegraphed to Fortress Monroe, and was told that no such order had come there. Adjutant-General Thomas told me that such an order certainly had been issued and forwarded by General Dix to General Wool, at Fortress Monroe. I applied to General Dix, and he said that he had sent such an order forward. Looking farther, I found that one of General Dix's staff officers had put it in his coat pocket and forgotten it,— a most inconceivable thing.

I determined to bring the matter to a focus at once. I went to General McClellan and told him about the order and asked him to revoke it.

"Why are you so anxious about this expedition?" he said to me.

"Because I think I can do a great deal of good for the country. Besides, I want to get away from Washington; I am sick of the intrigues and cross purposes that I find here. Mr. Lincoln and Mr. Stanton seem to me to be about the only persons who are in dead earnest for a vigorous prosecution of the war."

"Ah," said he, "and what evidence have you of that?"

"What both say and how they say it,— although I do not put too much confidence in what any man says. The President asked me how many troops I believed there were on the other side of the river, and I gave him the number as I gave it to you."

"What did he say to that?"

"He asked me how certain I felt, and I told him I felt very certain. He asked me whether I felt so certain that I would be willing to lead an army of one hundred thousand troops from Washington to make an attack on the rebels in Virginia."

"What did you say to that?"

"I said I did not desire to have anything to do with the Army of the Potomac; that I wanted to get away from here, and I then renewed my application to him to give me my order to go to New Orleans."

"He did not give you the order?"

"No; he told me he did not know yet whether he would or not. I said to him in substance that I hoped he didn't detain me because it was a necessity to have around Washington the few troops that I

should take away from Baltimore. He said that was not the reason; that regarding the number of troops opposed to us across the river he believed nearly as I did. He told me that I might call any day after to-morrow, being the 22d of February and a holiday. Therefore I said: 'I suppose there will be no movement made to-morrow.' He said: 'Well, General Butler, I think you had better call on me the day after to-morrow, and we will see what will come out of this.' "

I looked General McClellan in the eye and said: "General, shall I call on you before or after I call on the President?"

"Better come before," said he.

I went to my hotel, and after listening to an address in the House, I spent the next day in packing up my effects, not many, because I had come to the conclusion that I was going somewhere. I also notified two of the gentlemen of my staff who came with me, and two more who were in Washington, that I wanted them ready to go with me at a day's notice.

On the morrow I took a carriage and drove to the headquarters of the army shortly before ten o'clock. I was admitted to the general's presence, and he met me very cordially, and handed me a sealed envelope.

"Therein," said he, "you will find your instructions about your expedition to New Orleans, and you may go as soon as you can get ready to so do."

"I thank you very much, General," said I, " for the relief you have given me in letting me go away from here. I will endeavor by my actions to do you and the army all the credit I can."

I called on the Secretary of War, and found the President with him. I stated to them the facts. Mr. Stanton was overjoyed. The President did not appear at all elated, but shook hands with me with a far-off, pensive look.

"I shall need some funds undoubtedly," I said to Mr. Stanton. "Please ascertain how much and send to me by the quartermaster and commissary, who will follow me and bring whatever it is supposed I will need."

"Why not take your requisition yourself?"

"In the first place, I do not want any charge of the money. In the second place, Mr. Stanton, to be honest with you, my orders

cannot be countermanded after I get to sea, for I am going to take New Orleans or you will never see me again."

"Well," said he in the presence of Mr. Lincoln, "you take New Orleans and you shall be lieutenant-general."

I bowed and left.

I stayed in Washington long enough to have a little bird sing to me that General McClellan's father-in-law and chief of staff, R. B. Marcy, had said: "I guess we have found a hole to bury this Yankee elephant in."

The night of the 24th of February I left for Baltimore to go to Fortress Monroe, and at nine o'clock on the evening of the 25th I stood on the deck of the good steamer Mississippi with my wife and some of my staff officers beside me, and gave orders to "up anchor for Ship Island." I had sixteen hundred men on board with me, and the enormous sum of seventy-five dollars in gold in my pocket with which to pay the expenses of the expedition.



## CHAPTER VIII.

### FROM HATTERAS TO NEW ORLEANS.

IT was my intention to call at Fort Hatteras in my steamer, the Mississippi, to take off General Williams, who had been in command there and who had been detailed to me as a brigadier-general, at my request.

The sea was calm and the night beautiful, with a light southwest wind blowing. As we were to go around Cape Hatteras, a course always difficult of navigation on account of the trend of the eddy of the Gulf Stream toward the shore, I stayed on deck for some considerable time and then observed that the captain was below. It startled me a little. He had been waiting days in port, and so had no occasion to make up for any lost sleep, and I thought a careful and prudent man would have remained on deck, especially as the rebels had extinguished all the lights in the light-houses on that coast. I knew that the shoals from Cape Hatteras extended out a great distance, much farther than any sight in such a night would reach.

Toward morning the wind increased, and then not far from us the breakers became visible. I directed the captain to be called, and he put us about and stood for the east. Not only that, but he stood east until morning, and those who wanted to see a gale at sea were fully satisfied. The sun, however, came out bright, and the captain took an observation at meridian and went into his room in the deck-house to calculate his position. No land was in sight. He gave his calculation to me, and I looked at the chart and was satisfied that, if everything went well with us, we should have no difficulty in weathering Cape Fear and Frying-Pan Shoals, which extended some thirteen miles out. During the night the wind lulled, and those of us who had been kept up the night before sought early rest and quiet.

The captain joined me at the breakfast table, and said, as he sat down: "Well, General, I think I made quite a mistake yesterday in my observation. I am inclined to think I am twenty miles farther east than the observation showed."

"Well," I said, "that is a good mistake, because it gives Frying-Pan Shoals a wide berth."

A few minutes later, and while I was still seated, I felt the vessel strike something and apparently pass over it, with a peculiar grating sound which everybody who has been at sea knows. I thought we must have struck a sunken wreck or a whale. The captain immediately rushed up the companion-way, and I followed him. Upon reaching the deck and looking around we saw land within five or six miles of us. Evidently we were where we ought not to be. I then heard the captain give the order, "Let go port anchor." "Port anchor, sir." "Yes; let go," and immediately the port anchor was ordered over. It struck bottom almost instantly, showing that the vessel was aground. The whole thing had been so easy and so quiet that it substantially disturbed no one on the ship.

I stepped into the captain's room and motioned him to follow me.

"We are on the shoals, Captain?"

"Yes."

"Whereabouts?"

He put his thumb on the chart, a condensed chart of the whole coast, covering several miles, and said: "We are here."

"But exactly where, Captain?"

"I don't know."

"But you told me this morning that you thought you were several miles further east than your calculation showed you to be, and you were far enough east by that. Now, how came you here?"

"I cannot tell, General."

"Have you been on deck before this morning, Captain?"

"No, sir; I went directly from my berth to the breakfast table."

"Do you know what is the state of the tide?"

"I do not, General."

"Can you find out?"

"I can by examining the nautical almanac."

I stepped to the door and called one of my staff, Captain Davis, and said: "Davis, we are ashore here, and I should like to know

what is the state of the tide; look at the nautical almanac and find out." Turning again to the captain of the vessel, I asked: "Captain, what depth of water have we under us?"

"I don't know."

"Well," said I, "get your dipsy [deep sea] lead and come forward with me. We seem to have struck forward."

We went forward together and met the mate, and upon sounding found that we were in fourteen feet of water. We were on a sand-bank which seemed to me to be quite a round bank just above the foremast. The vessel drew eighteen feet of water.

As I went aft, three or four of the officers and some of the men gathered about me and said: "General, this captain is a secessionist, and he got us ashore here on purpose; he is a Baltimorean." A very deep and savage murmur began to circulate among the men, for the matter seemed to have been talked over. Fearing trouble, I stepped to the quarter deck, called the adjutant, and ordered the best drilled company I had to be paraded on the quarter deck. Lieutenant Fiske, afterwards General, a most steadfast officer, was put in command. The men were instructed that they should load their muskets with ball cartridges. Then, turning to a squad of the men who had followed me aft, I said: "Men, we are in considerable peril on board this vessel. There must be the most perfect order, and I think we can get out of it. Lieutenant Fiske, fire upon any man that attempts to leave this vessel without orders. Adjutant, order every officer to put on his side arms and revolver. Orderly, hand me mine."

The men had just scattered forward when Lieutenant Fiske came aft and said: "General, the water is rising very fast in the forward hold, which is my compartment. My men's berths are all being flooded."

I ordered the mate aft and said to him: "What is the matter in the fore hold?"

"Nothing," said he, "except that when the captain ordered the anchor to be let go the ship forged around on to a fluke of the anchor and it has gone through the side, making a hole about five inches square."

"Very well," I said, "she has got water-tight compartments." I turned to the captain and said: "Do you know whether the valves that close all the water-tight compartments are in order?"

"No," he said, "I have never tested them."

I turned to the mate and said: "Mate, can you tell by going below?"

"Oh, yes; very easily."

"Find out and report to me."

While he was gone I turned to the captain and said: "I don't think your life is safe here, sir. The men were a good deal infuriated toward you even before they learned of your conduct with the anchor. Step into your room, sir, and don't attempt to come out of it or have a conference with anybody without orders. Lieutenant Fiske, put a sentry at the captain's door, and don't let him out or anybody confer with him, except by my order."

Meanwhile one of my staff came to me and said: "General, when I was forward among the crew I heard the sailors say that the mate and the engineer would take boats and get ashore."

I at once instructed him to have good men to guard the boats, and let no one interfere with or touch them without my order.

"Bring the mate and the engineer aft," said I, "and clear the quarter deck."

The engineer and mate came aft, and I began to talk with them. I found the engineer very quick and prompt to answer everything about his engine. He said that it was in good condition; that it worked until after the anchor was thrown and then stopped regularly, and he had no doubt that it would work now. I talked with the mate and found him almost a dote. He attempted to answer only a single question, and that we put to him theoretically about some ordinary matter about the ship's tackle. Beyond that he did not seem to know anything.

I directed the mate to go forward and put everything in order on board the ship. I went into the engineer's room to have him start the engine and keep it running, in order to work out, by the motion of the propeller, the sand from under the after part of the ship. I asked him to take great pains to see that the engine and propeller worked well and regularly, which he promised to do.

Meanwhile Captain Davis reported that we had struck about two hours after the change of tide, now at ebb. Then, looking at my situation, I became almost overwhelmed and distracted. Here I was, in an iron ship of fifteen hundred tons, with a hole in her so large

that the water rose in the forward water-tight compartments just as high as the water on the outside; no officer to advise me; the captain under guard; the mate suspected, if not worse; no one on board who had any more nautical knowledge than myself, and with me more than fifteen hundred of my soldiers, whose lives depended upon what I might do — because it was certain that the ship could not lay there an hour after the sea rose, and her position was such that she would break up and we should all perish.

As I sat with my hand covering my face, I felt a light touch on my shoulder. I looked up and Mrs. Butler was standing beside me. "Cheer up," she was saying; "do the best you can, resume your command, and perhaps all will be well."

It may be thought very singular that it had never occurred to me that my wife was in the stateroom below. It was enough. I jumped to my feet and became again the general commanding. Almost the first thing I did was to call a sailor who seemed to be intelligent, and send him to the mast-head to look out for any passing vessel. Our masts were quite tall, as the steamer was brig-rigged. Then my attention was drawn to the shore. There lay Fort Macon within five miles of us; horsemen were riding up and down the beach, artillery was being exercised, and with my glass I could see that we were great objects of interest to those on shore, who could conceive of us only as an enemy there for the purpose of attack. I called two of the gentlemen of my staff and told them to keep watch of the movements of the people on shore, not knowing that they might not organize a boat expedition against us if they found out our condition. I thought, however, I would discourage that idea as much as I could; so I ran up the flag, and, clearing away my six-inch Sawyer rifle, I trained it in the direction of the fort and fired. The shot being the range of some three miles, I thought that would be sufficient information to the enemy that they had better not get within that distance.

I then directed my staff and the mate to have the hatches taken off and the ship lightened, although to raise her to fourteen feet from eighteen feet seemed substantially impossible, especially with our forward hold full of water.

The next thing done was to throw over from the medical stores all the alcohol of every kind that we had on board, except a very

small package which was sent into the general storeroom for safe keeping. Details of soldiers were busy lightening the ship by throwing everything overboard to that end.

As I came from below, after having the package of liquors stored away and the door locked, I had a good laugh, notwithstanding our situation, when I saw going overboard several packages of mosquito netting with which my staff proposed to protect themselves against the enemy on Ship Island.

Then came these thoughts: What is the use of trying to float the ship? Who knows where the channel is by which we can get out? These shoals extend some thirteen miles from the shore. There is a middle channel here, I know, for I passed through it when I went down to the Charleston convention. How shall I find the channel, and how shall I mark it when I do find it?

The men were then lightening the ship by throwing overboard barrels of pork and bags of grain. With the assistance of the mate, crew, and some of the men we started the hoops of the pork barrels so as to take the heads out without injury, and delivered the contents to the fishes. In like manner we emptied the grain overboard but kept the bags. After replacing the heads on the pork barrels and making them tight, we got some cordage and made gaskets around the barrels so that we could hold them. We then put one empty oat sack inside another and put eight-inch shells inside the double bags thus formed. Then with some marling stuff we tied the double bags very tight and secured each one to a pork barrel by a cord which was left thirty feet long. We got a couple of these on board one of the ship's boats, and Major Davis and some of my soldiers who could row were sent out to row around the ship and find a place where the water was at least eighteen feet deep and then to try to mark a channel, dropping our shells overboard for anchors, and so anchoring our barrels for buoys at the proper spots.

At this stage of the business we heard from aloft: "Sail ho."

"Where away?"

"Broad off."

One of my staff ran up to the mast-head with his glass and reported her as a steamer coming toward us, flying the Confederate flag. This, of course, was wrong, but it always looked like a Confederate flag, whoever looked at it.

Calling in one of the boats, I directed Major Bell to put himself in full uniform and go out and speak the steamer. If she should prove to be a United States vessel he was to have her come and help us, and he could inform us a good way off, if she were, by swinging his cap from the quarter deck.

"But, General, suppose she is a 'reb'?"

"Then God help you, Major."

He raised his cap and went over the side of the vessel.

We stopped all our efforts except to keep the pumps manned and work them with full details of men. Our men worked with a will. We kept that going until late in the afternoon, when the water began to come in faster than we could pump it out. Thereupon I took great pains to scold the soldiers whose detail could not pump the water out as those who did it in the morning, so that there was a great deal of rivalry at the pump brakes. The fact was that the tide had been running out in the morning and was now running in again; but it was better the men should be kept busy.

We made preparations to receive the incoming vessel, whether friend or foe. She came within fair gun-shot, approaching cautiously and slowly. Then she stopped, and with our glasses we could see Bell waving his cap. We then saluted her with our flag, and the vessel's gig came alongside with Major Bell accompanying Capt. O. C. Glisson, who was welcomed by me on deck. He reported that he was the commander of the United States steamer Mt. Vernon, and that he was stationed at Cape Fear River as a blockader. I then told him our condition. He examined it, shook his head, and said that he was afraid we could never get the vessel up high enough to start her, but he would try to see if he could pull her off. I said to Captain Glisson: —

"You see I am without an officer who knows how to take charge of this ship. I cannot at present release the captain from his confinement and I must have an officer. Now, pray loan me one of yours."

"I am pretty shorthanded in regard to officers," he replied. "I can let you have a regular officer, and will, if you prefer; but I have a volunteer officer who has been for some years in command of a whaler from New London, who I think would be best for you, if you can have the confidence in him that I have."

"Certainly," said I.

"Then," said he, "I will detail Acting Master Sturgis;"[1] and he came on board and navigated the vessel to Ship Island.

Captain Glisson informed us that just ahead of us was the channel, by which, if we could reach it, he could tow us down, and we could anchor in the lee of Cape Fear. He did his very best, but broke his warps and almost got his own vessel aground.

Meanwhile the wind from the southeast rapidly increased, and the sea began to grow turbulent, the waves striking heavily against the ship. I asked Glisson whether he could take on board the Mt. Vernon a portion of my troops. He said he did not know how many he could carry, but would try to take on as many as three hundred men. I had the Western Bay State Regiment of Massachusetts and the Fifteenth Maine Regiment commanded by Col. Neal Dow. In order to deal fairly with everybody, I took as many lucifers as there were companies and cut the heads off of some. Then I allowed first an officer of one Maine company to draw out a match, and then an officer of one of the Massachusetts companies, and so on until all the companies had drawn. Those drawing the five shortest were to be taken on board the Mt. Vernon. It so happened that they were five of the Maine companies. I turned to Colonel Dow and said: —

"Colonel Dow, you had better go with these men on board the Mt. Vernon. They will be safe there."

"And leave you here, General?"

"Oh, yes; I must stay here."

"Unless you order it, I shall do no such thing. I shall stay with the majority of my regiment and stand by you;" and he did.

Captain Glisson's boats not being many nor large, it made his crew a great deal of labor to transfer these men, especially as the sea began to roughen very considerably. When a wave struck the ship she groaned and quivered a good deal, and we hoped that the sand would settle under her and keep her up somewhat. To aid that I got our men in two lines, cleared the decks as well as we could and then I stood on top of the house and gave orders by which the men at double quick were run backwards and forwards as fast as they

[1] Acting Master Sturgis was a seaman in every regard, capable, faithful, and of the finest judgment. I feel that I almost owe the lives of my men, my wife, and myself to him. I made him captain of the port of New Orleans. When his term of service during the war was ended, I procured his appointment as one of the officers of the revenue marine service, which position he filled to the entire satisfaction of the department during his life.

could, so as to shake the ship out of the sand. We kept that going for a long time. At last Captain Glisson came back in his gig and said: —

"General, I cannot take any more men; they are packed in my ship like herrings in a box. I have come back for you and Mrs. Butler."

"I will go down and see Mrs. Butler," said I.

The men stood at halt. I found her in our state-room. I explained the situation and told her that I had come for her and her maid; that I must stay and see the matter out, although I had little hope that the ship would live out the night; that it certainly would not if there came on a blow, but my duty was with my men.

"I cannot go and leave you here," she at first said.

"Stop a minute, Sarah," said I. "We have three children. Is it best to have them lose both father and mother, when one can be saved?"

"I will go," she said.

We came on deck, and with a kiss we parted.

The sea was so uneasy that it made it difficult for the captain to get up to the side of the vessel, so he waited in his boat a little distance off. When I stepped on the house the eye of every soldier was upon me. I hailed the boat.

"Captain," said I, "I will be obliged to you if you will take Mrs. Butler and her maid. They can be of no use here. But as for me I shall be the last man to leave this ship."

That decision was received by the men with very tumultuous and heart-spoken cheers, to which I answered: "Attention: double quick, march," and the tramp went on over the decks with renewed briskness.

I had no heart to see Mrs. Butler leave me, and wishing to be sure not to give way I kept my head turned steadily forward, as she went on. An officer came up and spoke to me. He was the chaplain of a Maine regiment. I will not give his name though I ought to. "General," said he, "if you desire, I will accompany Mrs. Butler on board the Mt. Vernon."

"Oh, no, chaplain," I said, "you need not trouble yourself to do that. Captain Glisson is a gentleman and will see that she has every attention."

"General, I prefer to go."

"The devil you do! Look here, chaplain, the government has trusted the bodies of fifteen hundred of its soldiers to my care, and their souls to your care, and if your prayers are ever going to be of any use it will be about now, as it looks to me. You cannot go, sir," and I turned away.

Night was closing down. The high tide was approaching, and the vessel was more and more uneasy. We put all the sail that we could upon her but did not "sheet it home," that is, so set it that it would draw and exert any force on the ship. We got up all the steam we could. I went to the side of the vessel, dropped over the dipsy lead, a large, heavy ball of lead held fast to the bottom by its weight, and then drew the cord to which it was attached up to a mark on the ship's rail. Then, waiting until the wind lulled a moment, I gave the order: "Sheet home; jingle the engine bell." I watched with breathless anxiety whether, with all the means of moving we could possibly have, and with all the tide that we could have, the ship would move.

The hold was full of water, and this, which we thought was our destruction, proved to be our salvation. The force of the sails and the pressure of the propeller started her; her weight broke down the bank of sand on which she was resting, and she moved forward into deep water. All was well and we were safe, and cheers uprose from that vessel, the like of which I never heard before and shall never hear again.

The stern of the ship was at least three feet higher than her bow, but we followed the Mt. Vernon to the mouth of Cape Fear River, and anchored. Here we lay quietly all night.

I made a thorough examination of the ship after she was put to rights, and found that her engine was all right and that her forward bulkhead would probably hold the pressure of water if it were stayed and supported somewhat with braces of joists. Accordingly, I decided we would try to go to Port Royal, if the Mt. Vernon would accompany us, where we hoped to be able to repair. Suspecting our men would be nervous because we appeared so much out of trim, and thinking that it would give them much confidence and comfort if I brought Mrs. Butler on board again to go in our vessel to Port Royal, I rowed to the Mt. Vernon. As I approached the quarter deck, whom should I see on her deck but my chaplain of the long flowing

curls and Byronic collar. Hardly waiting for the exchange of proper courtesies with Captain Glisson, I sprang to the chaplain and said: —

"How came you here?"

"I came over last night."

"In what?"

"With Captain Glisson."

"What? In the last boat with Mrs. Butler?"

"Yes, General."

"After I ordered you not to?"

"Yes, sir."

"Go below at once and write your resignation. I will accept it, and don't let me ever hear of your trying to get into the army again. Go."

I then told Captain Glisson what the man had done. He said he never would have brought him away from the ship if he had known that; he understood that I wanted the chaplain to come.

While this conversation was going on the chaplain came up with his resignation.

"Very well, chaplain," said I, as I looked it over, "I will send your discharge to your post-office. Now, Captain Glisson, you can keep this fellow or throw him overboard, just as you choose; I wash my hands of him. I haven't any more use for him, although he may be the Jonah that went overboard and saved the ship."

Captain Glisson took myself and wife back in his boat, and, having had a belief that I should bring him back with me, I had made preparations that he should have the best breakfast that the Mississippi could serve — and she was pretty well provided.[1]

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[1] I insert here another description of our adventures on Frying-Pan Shoals, written from Port Royal by my wife to her sister, which did not come to my eye until long afterwards:

We were at breakfast, congratulating each other on our escape from the storm, the delightful weather, and the rapid speed we were making. I left the table a moment, and was in my room preparing to go on deck, when there came a surging, grating sound from the bottom of the vessel. A pause — the engine stopped — (a hush of dread throughout the ship) — it worked again — another heavy lurching and quivering of the ship — again the engine stopped. We were aground on Frying-Pan Shoals, fifteen miles from shore. The coast held by the enemy. Four or five smal' boats, and sixteen hundred people aboard. Dismay on every face. I asked General Butler of the danger. "A hundred-fold more than the storm. But there is no time for words — I must look to the ship." Yet for a time we were safe; the day was fine — the vessel imbedded in sand, so that her keel would not be stove with rocks. Brains and hands worked busily, devising and executing ways to get her off; and men watched for sails at every point, for there, in truth, was almost our only hope. At last, one appeared in sight. Signals were hoisted. (It was proposed to hoist it with the union down. "Not so," said General Butler; "let the union go up.") Guns were fired to show our distress, though apprehensive she might prove a rebel steamer, and we be forced to fight in our crippled state, or yield, inglorious prisoners. She could not come directly to us, and hours were consumed before she could round the shoals, and feel her way slowly with the lead, somewhere within a mile of us. She proved a friend. It was now late in the afternoon. We ran on at full tide, and must wait till it returned, at seven in the evening, before we could hope to pull her off. A hawser was stretched to the other vessel, and the soldiers moved double quick fore and aft to loosen her from the sand. They labored and pulled, but failed to lift her; the tide was not yet full. Two or three hundred men were already sent to the Mt. Vernon. The wind

There was no incident on the trip to Port Royal to which I need pay any attention. True, we had a thunder storm with vivid lightning, which left the sailor's fireballs attached to the yards of the rigging, much to the horror of our landsman soldiers. We attracted great notice in the fleet, being a vessel coming with her nose apparently in the water.

Consultation was had with the naval officers how our ship could possibly be repaired there, and in that consultation Captain Boutelle, of the Coast Survey, then in command of the little steamer Chancellor Bibb, gave me most effective aid. We were towed to Seabrook up Skull Creek, which was deep, but only wide enough to turn the vessel around in. The place was a sea island cotton plantation which the owner's family had deserted, an excellent place in which to encamp our troops. It also had a small wharf to which we could fasten the ship.

There we went through the great labor of unloading everything from the hold of the vessel, fore and aft, and as we had about thirteen hundred tons of coal on board when we started, that was no small labor. Then the difficulty was to get this water out of the

began to rise, and the waves to swell into the heavy seas, that look so dark and wrathful. General Butler came to me and said: "You must make ready to go in a few minutes." Captain Glisson was about to return to his own vessel, and would take me with him. The general's duty would be to remain until every man was safe, or while the ship held together. This was clear enough, and I only said: "I would rather remain here if you are willing." I know not why, but I felt more safety where I was than in that little boat tossing below in the mad waves, or in the strange vessel in the distance. "Why do you think of such a thing?" he said. "Are you mad that you would risk to the children the loss of both?"—"I will go," I answered, "when the captain is ready." General Butler went away to the pilot-house. The ship was beating heavily on the surf, and men's hearts beat heavier still, as the night swept toward us. The deck was crowded with men. Major Bell gave me his arm. There was a move—a "Make way for Mrs Butler." I was helped over the railing. (One man spoke out: "Well, if a woman can keep cool, it will be strange if we can't.") Captain Glisson preceded me down the side of the ship, and aided us as much as possible. The boat was tossing like a nut-shell far below, as down the unsteady ladder we slipped. When nearly at the bottom, the captain said: "Jump, madam—we'll catch you;" and down I went into the boat. "Pull, men—be lively!" the captain called out every few minutes. A wave leaped up and drenched the man at the tiller; he shrank from it, but the captain urged to greater speed. In a quarter of an hour we were aboard the Mt. Vernon. Only two boats followed—two more were obliged to put back; the waves were so rough they could not make the ship.

I sat in the cabin sick and trembling. If they could not get her off the shoals (where in a little while she would beat to pieces), how could those thousand men escape? The duty of the officers was to take care of the men, and the highest in command must be the last to leave. The Mt. Vernon was too small to take them all, even if they could reach us. One would not like to encounter many such hours.

The captain came often to tell me what was doing. He had sent his best officer to our ship, and, when the tide was full, there was a chance she might be moved. (I saw he had little hope she would be.) Only one ship ever escaped from those shoals that met the misfortune to ground there. Soon after the captain went out, there came a long shout swelling over the water—not a cry of distress but a shout of joy: "Hurrah! hurrah! she is off the shoals and into deep water!" In two hours we were out of those dangerous waters, and safely anchored. The Mt. Vernon touched three times while she was aiding, but happily escaped.

The next morning General Butler came on board to breakfast. It was decided we must keep on to Port Royal, a hundred and sixty miles, and there repair. Down the ship's side, and again on our own vessel. This time I was drawn up in a chair draped with flags. I think many were glad to see me back; it looked as though we had confidence in the ship. I have not yet told you her condition: her forward compartment filled with water, and leaking into the next—the pumps working continually to keep it out; the bow much deeper in the water than the stern, but the machinery quite perfect. Our safety must depend on the weather. I must tell you the hole in the bow was made by the anchor, thrown over after we had grounded, the ship working round on to it. One would have thought we were fast enough without the anchor.

forward hold. There were valves which could be opened so as to let the water flow through each bulkhead into the well of the vessel where it could be pumped out by the engine. As the vessel had been fitted out and loaded under the command of Captain Fulton whom I still held under arrest, I found it necessary to release him and engage his help. He was then and there investigated by a board of inquiry and restored to his command, Mr. Sturgis having gone away with Captain Glisson. We then found that the captain had put in no water-ways to conduct the water from the water-tight compartments, so that it might run through freely without spreading over the compartments. We further found that the lower hold had been filled up with coal, and in consequence, there was so much coal dust in the well that it would not do to pump it out lest we should disable the pumps,— another evidence of the captain's inefficiency.

Therefore we rigged the pumps on the forward deck, but found that in spite of all we could do the water came in faster than we could pump it out. We tried spreading a sail over the forefoot of the vessel so that it might be sucked into the aperture in the hull and thus partially stop the leak, but that was found useless. A diver was sent down, and he found the hole to be in what the ship builders call the garboard streak,— in this case the lower iron plate just above the turn where the keel joined the vessel's bow, so that it was impossible to prevent the water coming in at the open space between the keel and the point where the sail would strike the side of the ship. The ship carpenters gave up in despair,— they were wooden-ship carpenters,— and my expedition to Ship Island and New Orleans seemed to have come to an end.

At last, after much thought, I hit upon this device,— which I will describe, at the expense of a page perhaps, for the benefit of whoever may find himself in like situation. I sent the diver down again and found the size and character of the hole. I then took a sheet of iron such as that with which the vessel was plated, about sixteen inches long, twelve inches wide, and about three eighths of an inch thick. I had a hole put through each corner, and then had it cushioned on one side with oakum finely picked, and covered with a couple of thicknesses of the stoutest canvas. I had the cushion soaked with melted tallow. I then tied four light, long lines to the punctures at the corners and carried two of them on one side under

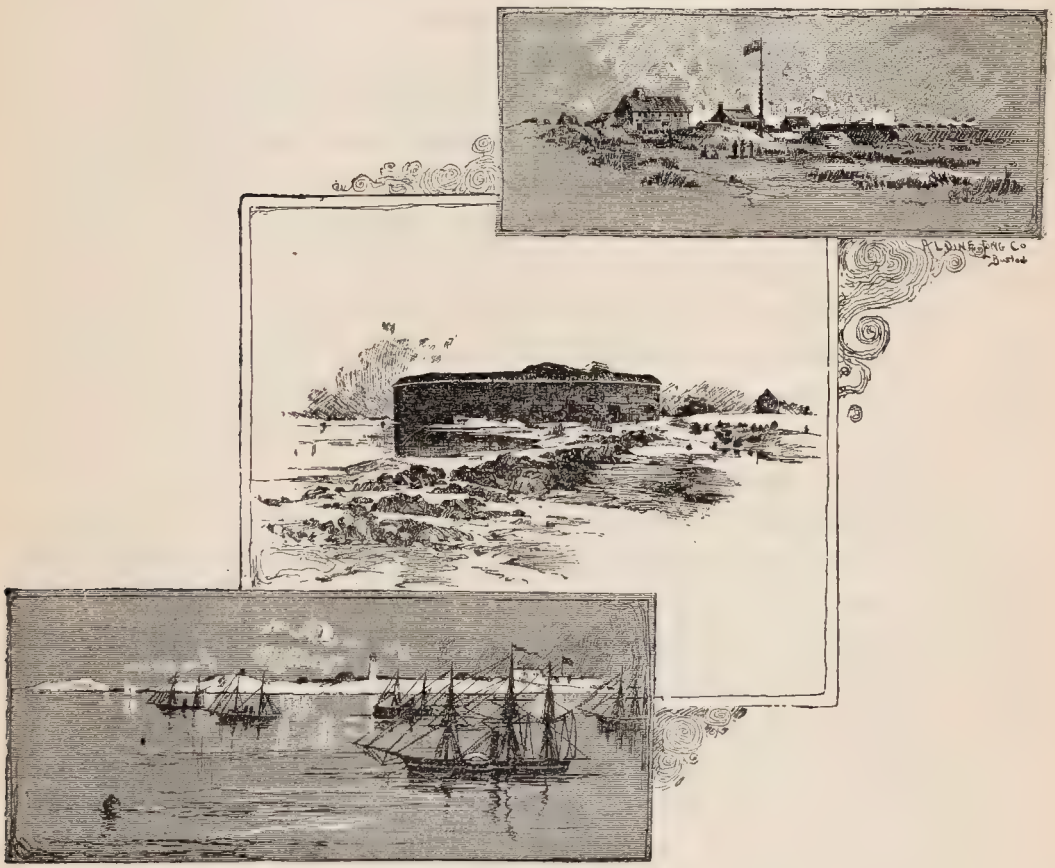
the rigging and chains that fastened the bowsprit, and brought them under the keel of the vessel. I then hauled up on the lines on one side until I got the cushioned side of the plate about opposite the hole and a little above it, with the other lines pulling up on the other side of the ship, thus holding it loosely. I then sent down a diver and he shoved the plate over the hole and held it there for a second while we hauled in on both sides and made it fast where it was. Then we began to pump. I sent the diver down again to press the plate against the hole if it was in the right place. Fortunately it was, and then the suction of the pump held the plate there firmly. Then we fastened our lines so as to assist in keeping it in the same place whether we pumped or not. This being done, it was not a long job to pump out the water, for the cushion on the plate was sucked into the hole which had been punched inwards by the anchor, and held it substantially tight, only a little water leaking through the broken part of the sheathing plate.

I then turned the job over to the carpenters to stop up the hole tightly inside, as they said they could do it. We then went to work to get our cargo on board, as it did not leak enough to do any harm, and we got ready to start. Before we started of course we took off this plate because it would be very easily driven off in the seaway. When this was done the simple pressure of the water stove the carpenters' work all to pieces, and the water came in the hole apparently faster than ever. We replaced the plate over the hole, pumped out the water again, and I undertook a little job of blacksmithing.

I had the engineers with their cold chisels cut out the little pieces of plate that had bent inwards, and smooth the rough hole inside where it had been punched in. Then I took another plate cushioned just like the first one and placed it on the inside. I put two jack-screws between the iron keelson and the sheathing of the ship over the hole, and then bound those screws so as to hold the cushion plate over the hole, as strongly as I dared to. I then put a couple of joists from the timbers above and wedged them in firmly so that the jack-screws should not work up, and I thought I had the thing reasonably tight. But as I was going up to camp I saw a barrel of rosin. I brought it down to the wharf and melted it; built a box about two feet square, one side of which was the keelson and the other side opposite the sheathing of the vessel, the box just holding the plate

and jack-screws in it. I then filled the box up with hot rosin, and when it cooled and became perfectly solid I did not believe that the hole would start again. I was so confident of it that I left off the outside plate at once, and no more water leaked in than would make a stream the size of a goose quill.

And the Mississippi was run from Port Royal to Ship Island, and from Ship Island to New Orleans, and from New Orleans back to



SHIP ISLAND IN 1861.

View of Island and Fleet. Fort Massachusetts. View of Island from Fort.

Boston before that hole was any further repaired, and it never gave way.

Ship Island is an island of white sand thrown up by the winds and waves. It is between five and six miles long, and is about ten miles distant from the Mississippi coast. At the upper part of it there is some soil on which is a growth of pine which serves at once

for the fuel and for the timber required. This eastern end of the island rises to some considerable height above the waters of the Gulf. The western end is more flat and rises only a little above the sea, in places less than two feet, and in case of any considerable sea, the waves wash over it. It was about 1843, if I recollect aright, a place of seaside resort for the people of New Orleans, many of whom had built cottages there and occupied them, when a storm, accompanied by rain and lightning, drove the water over the island and washed off substantially all the inhabitants.

The United States, at the breaking out of the war, had partly finished a fort upon the island called Fort Massachusetts.

At the time of the arrival of my troops there was not a house on the island. We brought some section houses to be put up for hospital purposes and to cover stores and supplies, but we relied for shelter upon our tents.

The sand of the island was of dazzling whiteness and drifted about in every wind storm as if it were snow. We had been told that this drifting sand was very dangerous to the eyes, and therefore all the officers and some of the men had provided themselves with blue and green glasses to keep the sand out of their eyes.

I was warned that it would be impossible to maintain ourselves upon the island because there was no fresh water there. But I had learned from the experience of the British in the war of 1812, that they had obtained their fresh water from that island for their army. Furthermore, I knew that as a general rule on all flat sand beaches on the southern coast just raised above high tide, by digging a hole in the sand and putting a headless barrel into it so that the bottom of it would be even below tide-water, the barrel would soon be filled with very passable soft, fresh water, up even to the height of the tide, and I relied upon that means for my supply of water.

The fact was found to be as it was stated to me. By placing barrels as I have indicated, a supply of water, wholesome and but very slightly brackish, was furnished for a considerable time. But I learned another fact about it; and this was that after a few days the water would become impure, emitting a very perceptible and offensive odor of decaying animal matter, and then that barrel would have to be abandoned. But it was very little trouble to put down another barrel in the immediate neighborhood of the first, which for

a time would give us reasonably pure fresh water, so that difficulty as to the water was not serious.

I investigated the causes of this change in the water and came to the conclusion that the water we drank was rain water, which had sunk into the sand and been prevented by capillary attraction from flowing into the sea. When an opening was made, it percolated through the sand into the barrel. But this sand itself had been thrown up by the sea, and while in the sea had attracted to itself the adhesive animalculæ with which sea water is filled. Thus it contained animal matter, and this was carried into the barrels by the rain water, and, after a few days' exposure to the sun, it putrified, destroying the water in which it was found.

We also found upon experiment that we were entirely mistaken in our idea that the sand would affect our eyes, and consequently our provision of spectacles and glasses was a useless one. But this attracted my attention: We found that when the wind blew the sand flew with great ease and rapidity, and sprinkled everything. Indeed, in the storms it banked up about our tents and on our plank-walks, exactly as the snow would do in a northern climate. Why, therefore, it should not affect the eyes as the shifting sands in the Desert of Sahara do, as I have read, I could not understand. In my younger days I had been something of a microscopist, and I had taken my telescope and microscope, as well as other scientific instruments, when I came on the expedition. Upon examining the sand I found that the reason it did not affect our eyes was that every particle of sand that I could find was globular in form, like the larger shingle of the beaches, where it is rolled about and washed by the waters. Being globular, it had no sharp corners with which the eye might be scratched, and when the sand got into the eye it worked out without injury, like the little pebble called an "eye stone," or a flax seed, which is in some parts of the country used for the same purpose.

Notwithstanding all my unfortunate delays I found that I was quite in season in my arrival at Ship Island. Indeed, I had to wait there not only for the admiral's fleet to get to the mouth of the Mississippi, but some fourteen days more, while the ships were being worked over the bar.

When I contemplated my position at Ship Island it seemed as if I had an herculean task before me. In the first place, I learned

that the fleet could not go to the mouth of the Mississippi for want of coal. Their boiler grates burned only anthracite coal, and no sufficient quantity of coal had been ordered to fill them up and supply them with what was necessary to go up the river to New Orleans. There, if they took the city, there was plenty of coal, yet it had not been taken into consideration that it was soft coal and could not be used under the boilers with any effect. A supply had been sent by the Navy Department, but



ADMIRAL DAVID G. FARRAGUT.
From a Photograph.

the schooners carrying it had been dispersed and nobody knew where they were, whether above or below the water. It would take more than thirty days to send up word to the Navy Department at Washington and get a supply of coal back. Flag-Officer Farragut, as was then his rank, was almost in despair at the delay. I was enabled to relieve him, however, because I had chartered a very large number of ships with a provision that they should be returned in ballast.

Now the usual way of ballasting a ship is to fill it up with stones, take them to the end of the voyage, and then throw them overboard. But I had to return the vessels in ballast. I saw that anthracite coal was steadily rising in the market when our equipment was forwarded from Boston, and I assumed that if I ballasted all my ships with anthracite coal the coal would be worth more when it got back to Boston after having gone down to Ship Island, than it was when I put it on board, and so something very considerable might be saved to the government. I had therefore directed my quartermaster to buy coal enough and put it on board to ballast all the ships on their return voyage.

"Well, Admiral," I said, "I guessed that somebody might want coal and so I brought a large quantity with me. I have twenty-five hundred or three thousand tons that I can let you have as fast as you can put it on board your ships, and I will ballast back again with dry sand if I can find nothing else."

"Why, this is almost providential," the flag-officer said.

"Yes," I answered, "I provided it."

"But," said he, "how can you in the army let the navy have the coal? Your army regulations are against it, are they not?"

"I never read the army regulations," said I, "and what is more I sha'n't, and then I shall not know I am doing anything against them. If the navy uses the coal for the benefit of the government, I, as a lawyer, know that the government will never get the pay for it out of me again."

It took days to get the coal matter settled. I may refer to this again, for the result of this proceeding on my part brought upon me great obloquy, as my accounts were not regular.

Another trouble at the same time came upon me, which might have had somewhat fearful results. It was another example of the fact that a junior officer, except in case of dire necessity, ought never to interfere with the action of his senior officer without orders. What General Phelps did, as we shall see, was done honestly and, as far as he knew, properly; but it might have entirely nullified our whole expedition, and possibly have turned back most men.

I had chartered the Constitution at three thousand dollars a day. She could steam fifteen miles an hour, and before I left Washington I had sent her to Ship Island twice, once with three thousand men and

a second time with five thousand men, with thirty head of cattle on her guards for fresh meat, and three months' provisions for my command in her hold. I relied upon her to be the great transport ship of my expedition. On both voyages she made quick time, landing her troops and provisions with safety. After she had discharged the second time, she lay there some days, under a daily demurrage of three thousand dollars, waiting for me to come. But I was so baffled by the intrigues at Washington, and afterwards by the perils of the sea, that I did not get to Ship Island until the last of March, while I was expected there the first of February.

After waiting some time for me to come, General Phelps thought it a pity that the government should be losing three thousand dollars a day and the boat there doing nothing. Accordingly he ordered her home, never once thinking how, in an emergency, he was to get away from there without any steamer, — for she was the only steamboat he had. Sometime before this he had written a proclamation freeing the negroes. He excused himself for sending the steamboat home on the ground that he was afraid that my expedition had been broken up, never considering, I repeat, how he and his eight thousand men were to get home, if it had been. He would have found himself without any means of transportation by steamer, if I had put my men on sailing vessels, as I had to do afterwards, for I had no steamer there except my little headquarters yacht, the Saxon, and the Mississippi, with a five-inch hole in her nose.

This also stared me in the face: I had sent down food and necessaries for a three months' stay. These were rapidly being consumed. I had left orders with my quartermaster and commissary that after I had been two months' away from Boston they should send me provisions for ninety days more. But before the time arrived for them to act, they were deprived of their commissions, their appointments being rejected by the Senate. This was done by the influence and the malignity of Governor Andrew and his crew of patriots simply upon political grounds. Although I made requisition for a new quartermaster and commissary to be sent to me as soon as it could be done, they did not get to me until after I had been in New Orleans more than thirty days.

Thus I was left without the services of a quartermaster and commissary who knew anything about the details of the expedition or its




MAP OF LOWER MISSISSIPPI RIVER.

provisions. I should have had no notice of what had happened or of the difficulty I was in, for none was given me, had not my brother taken passage in a sailing vessel and come down, giving me the information. He had also, upon his personal responsibility, shipped provisions enough to carry me along, and had given notice to Mr. Stanton that provisions must be sent. These came in due time; otherwise a starving army would have landed in a starving captured city.

Again: I hoped to have been at the island two months earlier. I had brought with me more than one hundred Massachusetts mechanics to build boats with which to get through the bayous, lagoons, and morasses in the rear of Fort Jackson or St. Philip, as the case might be, and to construct scaling ladders with which to assault the parapets, rafts on which field artillery could be transported to aid us in our siege operations, and flats in which to transport provisions in those shallow waters. For I had foreseen that had we brought army wagons to New Orleans they would hardly have been of use, so I had but four or five.

All this, if I were to support Farragut, was to be done in seven days. Fortunately it took him fifteen days and more to get over the bar at the Sou-West Pass at the mouth of the river, and eight days more were consumed in waiting for that superbly useless bombardment, which Farragut never believed in from the hour when it was first brought to his attention to the time when the last mortar was fired.[1]

But through the energy of Lieutenant Weitzel, my chief engineer, those accessories of the expedition were fully got ready and put on board ship, with a large number of fascines or fagots for filling up ditches.

In two days after the bombardment commenced I had six thousand troops in the river in different sailing vessels, and I had more in the Great Republic, a sailing ship of three thousand tons burden, which could not get over the bar. The army was all ready.

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[1] When Farragut was called to Washington and the naval part of the expedition was confided to him by Secretary Welles, Porter having a month before that gone to New York to prepare his mortar flotilla, the Secretary says: —

He gave his unqualified approval of the original plan, adopted it with enthusiasm, and said it was the true way to get to New Orleans, and offered to run by the forts with even a less number of vessels than we were preparing for him, provided that number could not be supplied. While he would not advise the mortar flotilla, it might be of greater benefit than he anticipated, might be more effective than he expected, and he readily adopted it as a part of his command, and he thought it would be likely to warn the enemy of our intention.

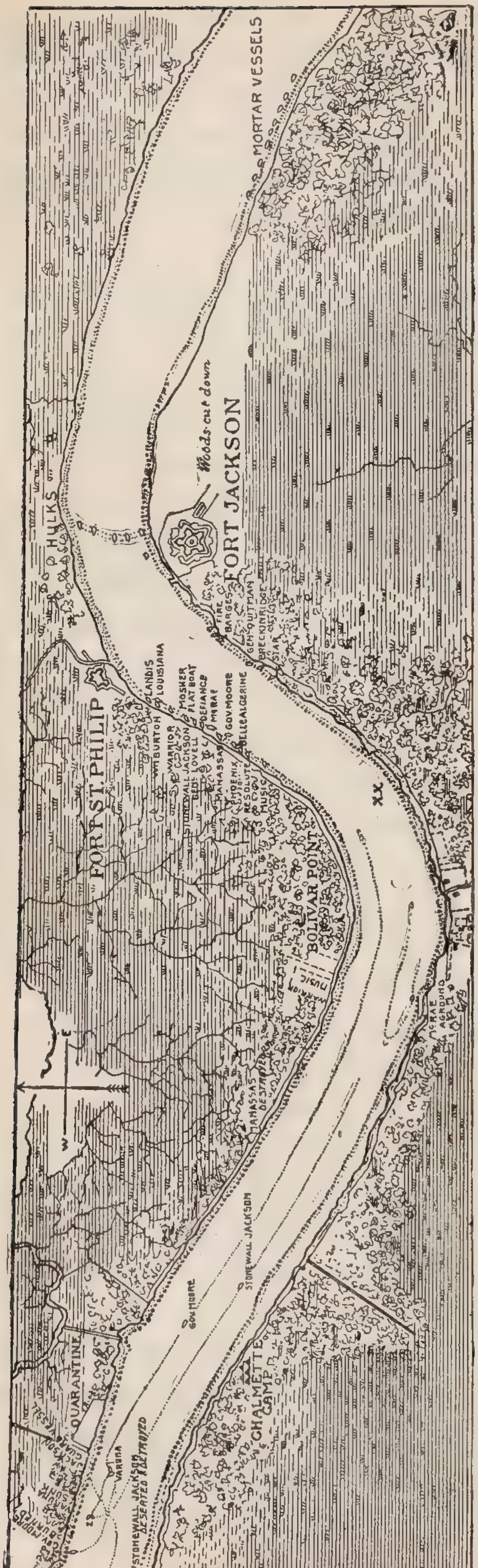
The plan of operation against New Orleans had been agreed upon in a consultation between Flag-Officer Farragut, Captain Bailey of the navy, who afterwards led one of the divisions by the forts in the Cayuga, Major Strong, my chief of staff, Lieutenant Weitzel, and myself, Captain Porter not being present. The plan then adopted was substantially the one carried out, which resulted in the capture of the city: —

I. Captain Porter, with his fleet of twenty-one bomb-schooners, should anchor below the two forts, Jackson and St. Philip, and continue to fire upon them until they were reduced, or until his ammunition was nearly exhausted. During the bombardment, Captain Farragut's fleet should remain out of fire, as a reserve, just below the bomb-vessels. The army, or so much of it as transportation could be found for, should remain at the mouth of the river, awaiting the issue of the bombardment. If Captain Porter succeeded in reducing the forts, the army would ascend the river and garrison them. It would then be apparent, probably, what the next movement would be.

II. If the bombardment did not reduce or silence the forts, then Captain Farragut, with his fleet of steamers, would attempt to run by them. If he succeeded, he proposed to clear the river of the enemy's fleet, cut off the forts from supplies, and push on at least far enough to reconnoitre the next obstruction.

III. Captain Farragut having passed the forts, General Butler would at once take the troops round to the rear of Fort St. Philip, land them in the swamps there, and attempt to carry the fort by assault. The enemy had made no preparations to resist an attack from that quarter, supposing the swamps impassable. But Lieutenant Weitzel, while constructing the fort, had been for two years in the habit of duck shooting all over those swamps, and knew every bay and bayou of them. He assured General Butler that the landing of troops there would be difficult, but not impossible; and hence this part of the scheme.

Both in the formation of the plan and in its execution, the local knowledge and pre-eminent skill of Lieutenant Weitzel were of the utmost value. Few men contributed more to the reduction of the city than he. There were few more valuable officers in the service than General Weitzel, as the country well knows.




SECTION OF MISSISSIPPI RIVER, SHOWING DEFENCES OF FORTS JACKSON AND ST. PHILIP AT TIME OF BOMBARDMENT.

IV. The forts being reduced, the land and naval force would advance toward the city in the manner that should then seem best.

The first day's bombardment set fire to the wooden barracks and officers' quarters, which burned all night. Porter ceased firing while the burning was going on, supposing that the fort would be destroyed. But that fire had the same effect as when the enemy fired on Fort Sumter and set fire to the same class of buildings. They supposed that Sumter must surrender on account of that fire. But that fire, and this one, too, only cleared the fort of obstructions and obstacles. Of the fact that the fort had neither been disabled nor surrendered Porter received information the next morning by a prompt and vigorous response to the fire of the mortars, and at 11.30 a rifle ball from the fort pierced one of his schooners and sunk it in twenty minutes. This bombardment went on for six days. How little harm was done appears from the report of the Confederate Brigadier-General Duncan, who had charge of the forts, in his report to General Lovell of the Confederate army: —

Heavy and continued bombardment all night and still progressing. No further casualties except two men slightly wounded. God is certainly protecting us. We are still cheerful, and have an abiding faith in our ultimate success. We are making repairs as best we can. Our barbette guns are still in working order. Most of them have been disabled at times. The health of the troops continues good. Twenty-five thousand thirteen-inch shells have been fired by the enemy, one thousand of which fell in the fort. They must soon exhaust themselves; if not, we can stand it as long as they can.

Duncan evidently made this report to show his men's courage and stimulate the hopes of the people in New Orleans. It is a very good specimen of the kind of report that is sent out by some commanding officers for people to read. Not twenty-five thousand shells were thrown altogether, but five thousand only. Not one thousand struck inside the fort, but only three hundred during the whole bombardment, and at the time of Duncan's report the last day's firing had not been counted.

Duncan's report reads exactly like some of the magazine war articles written by our officers who wish to establish reputations for bravery and endurance, but are somewhat economical of truth. As Duncan was educated at West Point he was taught in the same way as were these officers who write magazine articles and war books.

There had been two days' bombardment, when consideration had to be given to another defence of the rebels, — a chain cable across the river. This barrier had at first been made of logs fastened by shackles end to end, so as to float upon the surface. It had been thrown across the river in the early spring, the chain of logs being within point blank fire of Fort Jackson and the other end on the bank near Fort St. Philip. This barrier had been found impracticable, because the floating timber and brush caught on the chain, and the pressure of the water soon parted it, the river being very high and the current swift. That made a resort to some other expedient necessary. Several schooners were anchored thirty yards apart in a line extending across the river. Heavy chains — which had been taken from Pensacola and Norfolk Navy Yards — were securely fastened together in a long cable. One end of this having been made fast on shore, the chain was carried across the schooners from one to another, being affixed to the foremast of each one, and so on

across the river, where the chain was as securely fastened on the other shore. This chain allowed the driftwood floating down the river to run through between the schooners without doing any damage.

The question was, how shall the chain be gotten rid of? By this time the naval men, and especially Farragut, had come to the conclusion that Porter would exhaust his shells a long time before he would substantially damage the forts, and therefore, upon consultation, the plan of a night attack, before arranged, was agreed upon.

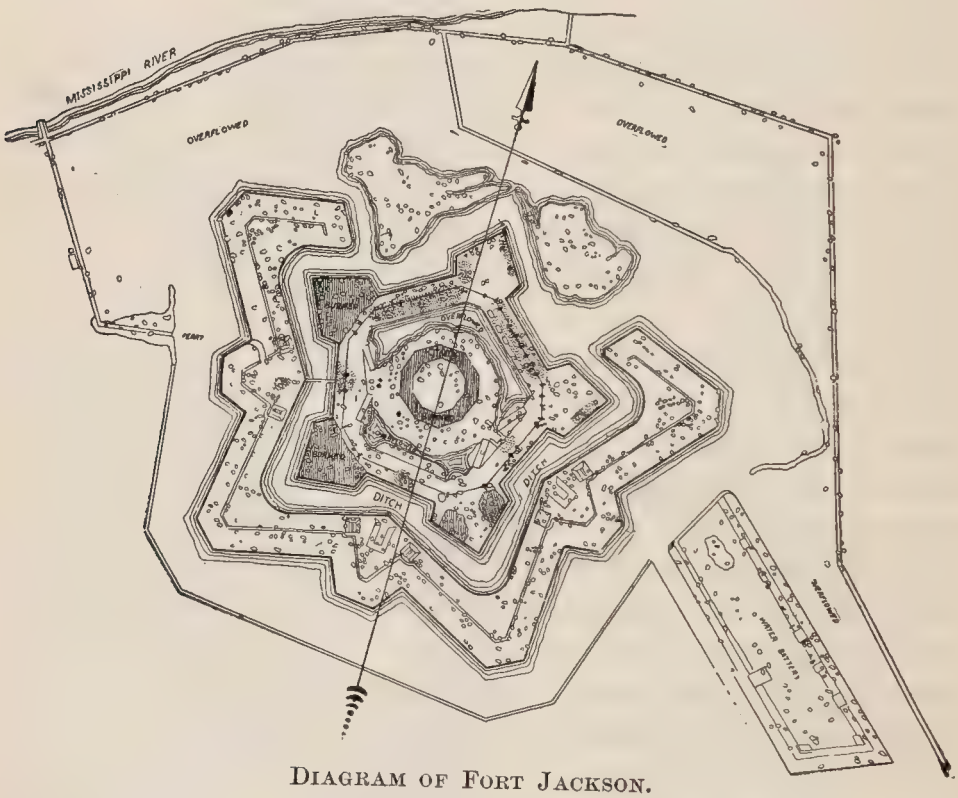



DIAGRAM OF FORT JACKSON.

The plan was that the fleet should start nearer midnight than dawn, and should advance in two columns or divisions. If the ships passed the forts, the troops were to go out upon the Gulf side and work up the Maumeel Canal in boats, and then, when we had a sufficient force there, we were to assault Fort St. Philip from the rear, and the fleet was to assist us from the river.

There had been a wonderful omission by the rebels of any preparation of defence for Fort St. Philip in the rear; they had mounted no guns to cover the side towards the Gulf. True, it was for several

miles a marsh covered with water and short shrubbery, but still, troops who were in earnest could get through it, as Lieutenant Weitzel informed us. Under the cover of night, in a boat from the Saxon, I sent Captain Everett, of my Massachusetts battery, to reconnoitre in the rear of St. Philip from one of the many little bayous [guts] which run out from the river into the Gulf. The first night he went in he explored enough to find that he could get anywhere he wanted to in the rear of the fort without being noticed. The next night he took a slightly heavier boat and some men, and went behind Fort St. Philip again. He ascertained that there were no guns mounted which would prevent our boats coming up the Maumeel Canal, and the only possible difficulty that he noted was the lack of depth of water in the upper canal to float a heavy launch.

The third night after the burning of the buildings in the fort, Captain Bell was detached with the Pinola and Itasca. The Pinola was to blow up, by means of torpedoes fired by electricity, one of the hulks which floated the chain, while the Itasca was to board the next schooner, cut the chain and also the cable by which the schooner was anchored, and let the hulk swing round by the force of the current, to be held by the schooner anchored next to it. This would leave a passage of about one hundred and eighty feet, if both were successful.

There was a great rush of water driven down the river by the wind, and although a petard was thrown upon the deck of the hulk, yet her engine being stopped, the Pinola was swept away so quickly as to break the electric connection, so that the petard was not exploded.

In the meantime, the Itasca had laid herself alongside the next schooner near the middle of the river, and had made fast thereto. At that moment, she was discovered. Both forts opened fire upon her, but the darkness and smoke so covered her that the men worked in perfect safety. The chain was cut with sledge and chisel and the cable that held the hulk was slipped. Instantly the Itasca and the schooner were carried down by the wind and tide, taking the end of the chain with them and swinging around to the eastern shore under the fire of both forts. Here the Itasca grounded hard and fast by the bow. The Pinola, however, came to her rescue, and after an hour's tugging, started her, and both boats came down in triumph without a scratch.

Immediately after, an immense fire-raft was sent down by the enemy. Perhaps a word to describe that contrivance of war would not be wasted. This fire-raft was an immense flat boat such as was used for bringing coal down the Mississippi. It was about two hundred feet long, forty feet wide, and six feet deep. It was filled, from stem to stern, full of light wood and cotton, well saturated with pitch and turpentine, the wood being packed cob-house fashion, so as to burn easily and freely under the strong wind. The raft came through the opening in the chain, passed the Hartford within fifty feet, scorching the men on deck, just grazed the Scioto, and went on its way to the lower division of the fleet. Here the mortar men in their boats grappled it, towed it to the shore, and made it fast.

Four days' bombardment had passed. Four thousand shells had been used, costing the government fifty dollars for each shell, irrespective of the expense of exploding them as fireworks. Still there was no sensible diminution of the fire of the forts.

Farragut had at first determined to make his attempt to run past the forts on the early morning of the 23d, the sixth day of the bombardment, but was delayed. The fire of the mortars on the sixth day was slow; the forts answered not a gun. The men at mast-head, with their glasses, descried twelve rebel steamers around the bend above the forts. The day was spent on both sides in getting ready. By an accident two of our gunboats had been partially disabled, requiring great efforts to put them in trim, which was finally done. The chain cables of the gunboats and ships were fastened in festoons up and down the sides of the vessels on both sides, so as to protect the engines and boilers.

On the evening of the 23d, arrangements were made for the fleet in five divisions to take part in running by the forts. The mortar boats were to remain in position, and aid the attack with the quickest fire possible. How quick that fire was, I had personal inspection. Following Farragut's division up to the forts in my headquarters boat as he went by, I came within six hundred yards, and saw eleven mortar shells, their fuses burning, in the air at the same time.

The six small steamers belonging to the mortar fleet, Porter commanding,— the Harriet Lane, Westfield, Owasca, Clifton, Miami,

and Jackson, the last named towing the sloop of war Portsmouth,—were to engage the water battery below Fort Jackson, but were not to attempt to pass the forts.

The Hartford, Richmond, and Brooklyn, Farragut commanding, were to advance upon Fort Jackson.

The Cayuga, Pensacola, Mississippi, Oneida, Varuna, Katahdin, Kineo, and Wissahickon, Capt. Theodorus Bailey commanding, were to proceed along the eastern bank and attack Fort St. Philip as they passed.

Captain Bell, commanding the third division, which consisted of the Scioto, Iroquois, Pinola, Winona, Itasca, and Kennebec, was to advance in the middle of the river and push on to attack the enemy's fleet above the forts.

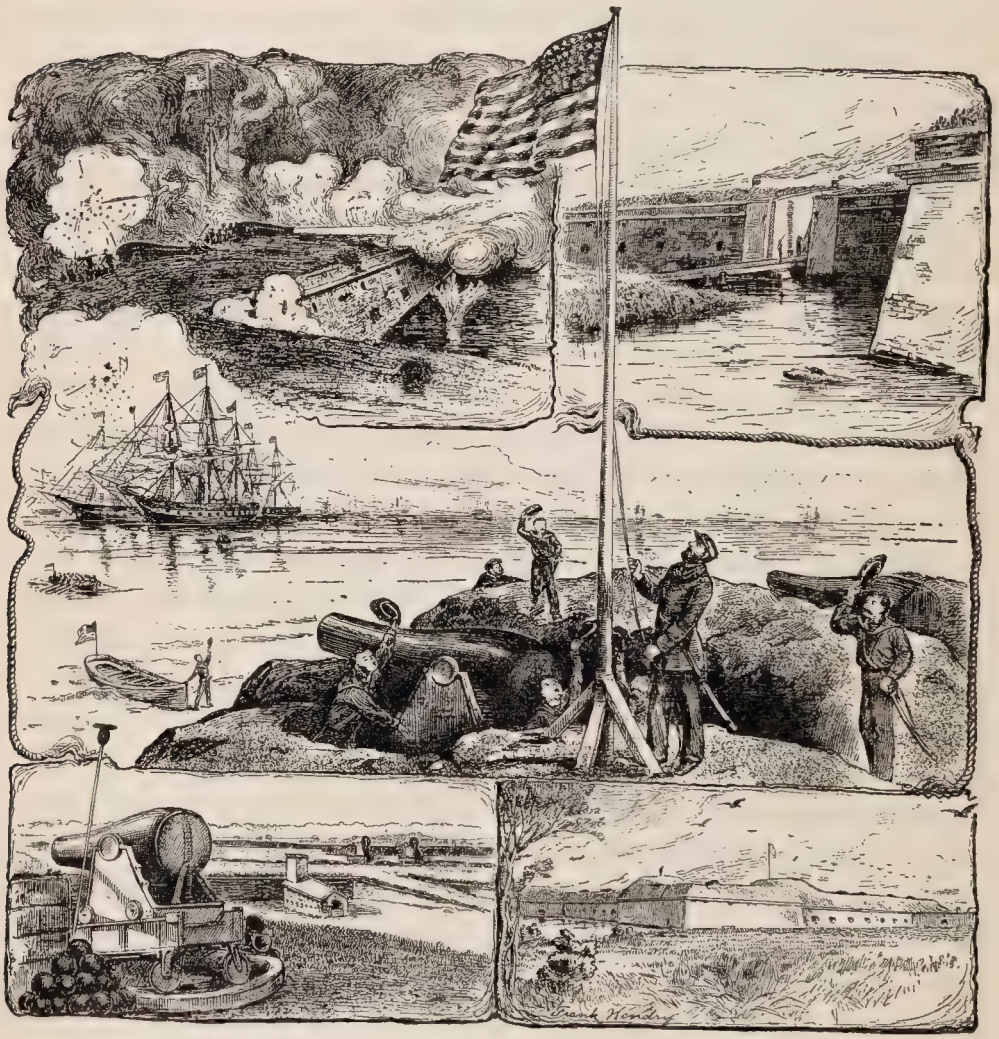
The night was still, and a light breeze up river brought with it a haze, which clung to the water.

At two o'clock, a red light was run up the Hartford's mast-head, the signal to weigh anchor and advance. From the starting-point to a point in the river above the range of the guns of the forts the distance was five miles. The current was a strong three-mile current, and the order was not to attempt to advance faster than four miles an hour. My headquarters boat, the Saxon, took position in the line of advance immediately behind Farragut's division.

Lieutenant Weitzel, at Farragut's request, had stated to the assembled commanders the condition and formation of the forts. He said they both were very low down, especially Fort St. Philip, and that the gunners of all the batteries had been for days firing the guns at a very high elevation to reach the fleet below, and probably would retain them in that position. Therefore he advised that the guns of the fleet be fired very low down, or they would fire over the forts. He also suggested that if both divisions, as they passed the forts, were to go by within fifty yards of them, the guns of the forts would probably fire over them, while they, with grape and canister, would drive every rebel from his guns.

The moment Farragut's guns opened fire, the smoke settling down made it impossible to see anything one hundred yards away, except the bright flashes, or hear anything save the continuous roar of cannon of heaviest calibre. It is vain to attempt to give a description of the appalling scene. The best one I ever

heard was given by my staff officer, Major Bell, in answer to a lady who asked him to describe it. He said: "Imagine all the earthquakes in the world, and all the thunder and lightning storms together, in a space of two miles, all going off at once; that would be like it, madam."



FORTS JACKSON AND ST. PHILIP, FIVE VIEWS.

It is needless to tell of individual gallantry and courage where all did so well, but I may say that the Hartford bore the brunt of the battle. The gallant Farragut stood in the fore-rigging with his glass in his hand. He was under the fire of both forts at the same time. The rebel ram pushed a fire-raft against his ship's side, setting

her on fire fore and aft. Even then he did not call away his gunners from the guns, but ordered his fire-brigade to attend to the flames. Attacked by one of the enemy's gunboats, he set out to destroy her with a single broadside. Receiving all the time the fire of the enemy and giving them broadside after broadside, while at the same time pushed ashore by the fire-raft and struggling to get his vessel off in the darkness, not even knowing where he was, made a cluster of dangers and exigencies, at once difficult and terrible, sufficient to tax the greatest energy, courage, quickness of perception, and coolness of thought and judgment of any man in any war before or since.

Meantime our fleet destroyed and sunk all of the enemy's vessels, including the ram Manassas. One boat we lost, the Varuna, which was pierced by the ram. She sunk, but not until Captain Boggs had tied her to a tree.

Reaching quarantine, above the forts, Captain Bailey of the Cayuga captured the rebel regiment which had been stationed there to prevent my landing. All that had not run away surrendered, and, as Farragut said, "I paroled them, for I determined to hasten on and could not take them along, and so left them to the tender mercies of General Butler."

Of all this, we below the forts knew nothing. Even the Kennebec, which had got afoul of the cable and had returned, and the Itasca, which had got a shot in her boiler and came back, could give us no information. But as the sun rose up in the heavens in the clear calm of a beautiful April morning, Farragut flashed back the signal of his triumph and victory by covering his entire fleet with flags and signals, as in the celebration of a gala day. That told the story.

My boat being partially disabled by accident, I went on board the Harriet Lane. She was firing away at the sinking ram Manassas that came floating down, but was already riddled and burning, so that the ammunition so spent was wasted. Here I borrowed of Porter the Miami. She had been a New York ferry-boat, and answered my purpose very well, for I wanted a boat to carry as many troops as possible. Then I started down the river.

With my glass I could see the rebel ram Louisiana lying at a point just above and at the side of Fort St. Philip. She had not

moved from the place in which she had anchored after coming down from New Orleans a day or two before. Two steamers near her seemed to be her tenders. Before the Miami got ready, the mortar fleet started down the river to the passes.

The Miami was slow, besides steering very wildly. When I got to the head of the passes, that is, where the Southwest Pass, the South Pass, and Pass a l'Outre, to the easterly, form several means of passage from the river to the Gulf, all my troops and steamers, under the personal command of General Williams, went up to the rear of Fort St. Philip, and I made my headquarters on Sable Island.

I was delayed twenty-four hours by the Miami running aground, and I was much in need of light draft steamers, for which I had made requisition on the quartermaster-general on the 24th of February. That requisition had never been answered, and, in fact, I never received any assistance from that department, by its sending me anything, from the 24th of February to the 8th of May. I was enabled at last to disembark my troops and form a column of yawl boats in which they were conveyed up the Maumeel Canal as far as we could go. Then we left the boats and waded for miles up the levee near the quarantine station, for the purpose of attacking Fort St. Philip in the rear. To get there I myself waded in the water above my hips for nearly two miles — which was not unsafe but unpleasant. Here, Captain Smith, of the naval vessel Mississippi, which had been detained by Farragut to hold that station, kindly conveyed a detachment of my soldiers across the river, where we established ourselves by entrenchment across the levee.

To understand the purpose of this movement, it should be told that the only way to get up the river by land on either side was to go up its bank close to the water's edge. Here frequently there was no passable ground more than sufficient for a carriage road. So that when I had taken possession of the west bank of the river there was no earthly hope that the troops in the forts could get to New Orleans.

On April 27, the majority of the garrison of Fort Jackson mutinied against their officers, either spiked the field-pieces or turned them against their officers, and deserted and came up five

miles and surrendered themselves to my pickets. The day afterwards the officers surrendered the forts, having substantially no garrison, to Captain Porter, most of whose vessels were twenty-five miles below.[1]

While they were making terms for capitulation in the cabin of Porter's vessel, the naval officer in charge of the rebel ram Louisiana let her loose and set her on fire, and she floated down and blew up quite near the Harriet Lane. This was the ram that Porter was so

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[1] There have been three contested questions of fact, on which the officers of the army and Porter, on behalf of the navy, have differed:

The first is that the forts were surrendered solely because the bombardment had made of them such perfect wrecks as to be no longer defensible. He so reported to the Secretary of the Navy on the 30th day of April. That 1,800 of his mortar shells had fallen within it he reported to the Secretary of the Navy, June 10.

Second, — that the surrender was wholly on account of the bombardment.

Third, — that he remained with his mortar fleet from the time of Farragut's passage on April 24, until April 30, the day of the surrender, and did not go down the river.

A part of these questions have been heretofore discussed; but we have now, from consultation of the War Records, the testimony of the enemy. Brigadier-General Duncan says (War Records, Series 1, Vol. VI., pp. 529-532):—

The demand was rejected, and the bombardment was reopened about 12 M. It continued until near sundown, when it ceased altogether. The entire mortar fleet and all the other vessels, except six gunboats, then got under way, and passed down the river and out of sight, under full steam and sail. . . .

So far, throughout the entire bombardment and final action, the spirit of the troops was cheerful, confident, and courageous. . . . A reaction set in among them during the lull of the 25th, 26th, and 27th, when there was no other excitement to arouse them than the fatigue duty of repairing our damages. . . . They were still obedient, but not buoyant and cheerful. In consequence, I endeavored to revive their courage and patriotism by publishing an order to both garrisons . . .

I regret to state that it did not produce the desired effect. Everything remained quiet, however, until midnight, when the garrison of Fort Jackson revolted in mass; seized upon guard and posterns; reversed the field-pieces commanding the gates, and commenced to spike the guns, while many of the men were leaving the fort in the meantime under arms. All this occurred as suddenly as it was unexpected. The men were mostly drawn up under arms and positively refused to fight any longer. . . .

Every endeavor was made by the officers to repress the revolt and to bring the men to reason and order, but without avail. Officers upon the ramparts were fired upon by the mutineers in attempting to put a stop to the spiking of the guns. . . .

In the meantime we were totally ignorant of the condition of affairs at Fort St. Philip; and as all our small boats had been carried away by the mutineers, we could not communicate with that fort until the next morning. . . .

With the enemy above us and below us, it will be apparent at once to anyone at all familiar with the surrounding country that there was no chance of destroying the public property, blowing up the forts, and escaping with the remaining troops. Under all these humiliating circumstances there seemed to be but one course open to us, viz.: to await the approach of daylight, communicate then with the gunboats of the mortar flotilla below under a flag of truce, and negotiate for a surrender under the terms offered us by Commander Porter on the 26th instant, and which had previously been declined. . . .

For these reasons a flag of truce was sent down to communicate with the enemy below and to carry a written offer of surrender under the terms offered on the 26th instant.

Thus it appears that the besieged were obliged to send a flag of truce down to Porter to get him to come up and take the surrender.

As to the condition of the forts because of the bombardment, we have the testimony of Lieutenant Weitzel, who was sent to make an official report for the purpose of putting them in repair; we have the report of Captain Palfrey, assistant engineer, who was in charge of the repairs; of Colonel Hazeltine, and of General Dow, who certifies that the worst thing that had happened to the forts was the "extreme slovenliness" by which they had been occupied by the enemy.

afraid of. Before this she had never moved a foot from Fort St. Philip, having no motive power. When reproached by Porter for this act of perfidy, the Confederate officers replied that they were army officers surrendering the forts; that they had no control over the naval officers.

As soon as the forts surrendered, I ordered General Phelps to get his ships towed up by Porter's mortar fleet, and take possession of the forts. This was done, since Porter was no longer afraid to have his mortar boats come up the river, the "lively ram" having been destroyed.

On the 27th, after the garrisons of the forts were captured at my pickets, I went on board the Wissahickon, Captain Smith, which was at quarantine, and joined Farragut at New Orleans, to consult with him as to the next move to be made.

Meantime Farragut had gone up the river, engaged the rebel battery at English Turn, and routed them with a broadside, and also the battery at Chalmette, being the fortified line that Jackson defended against Pakenham when he appeared before the city. All the rebel troops under Lovell ran away across Lake Pontchartrain, and very many citizens took steamers and went up the river to Alexandria and elsewhere, having burned and destroyed immense quantities of cotton, sugar, rosin, tobacco, and coal.

Lovell and Twigg having run away, Farragut called upon the city government to surrender and to hoist the United States flag in token thereof on the United States public buildings. This the mayor declined to do, making the excuse that he was not a military officer. Farragut then sent Captain Bailey and Lieutenant Perkins ashore with a party of marines and hoisted the United States flag over the United States mint, but did not leave it guarded except that he had howitzers in the main-top of the Hartford which bore upon it.

On the day before I got up to New Orleans a party of ruffians, headed by one Mumford, pulled down Farragut's flag, trailed it on the ground through the streets, tore it in pieces and distributed the pieces among the mob for keepsakes, their leader wearing a piece of it in the buttonhole of his coat as a *boutonniere*.

As we neared the city the next day the morning papers were brought to me on board the Wissahickon containing a description of

this performance with high encomiums upon the bravery and gallantry of the man who did it. After having read the article, I handed the paper to Captain Smith and said: "I will hang that fellow whenever I catch him," and in such matters I always keep my intention.

I think a proper ending for this chapter, for the purpose of showing exactly how untruthfully and villanously Capt. David D. Porter behaved through this whole transaction of the capture and surrender of the forts, will be an extract from my official report written to the Secretary of War on the 1st day of June, the truth of no word of which for twenty-eight years was ever disputed, and then only by Porter in an interview in a newspaper, the authenticity of which he afterwards denied, and after I had put it before him as a statement of fact he never replied to it: —

I have read Commander Porter's official report of the surrender of the forts; and here permit me, for the sake of my brave and enduring soldiers of the Twenty-Sixth Massachusetts and Fourth Wisconsin regiments, who waded in the swamps in the rear of Fort St. Philip up to their armpits in water in order to cut off its garrison and get ready to assault the enemy's works, to put the truth of history right before the War Department and the country by the simple enumeration of the facts that it was due to their efforts and that of their comrades, and to those alone, that Forts Jackson and St. Philip surrendered when they did. No naval vessel or one of the mortar fleet had fired a shot at the forts for three days before the surrender, and not one of the mortar boats was within twenty-five miles at that time, they having sailed out of the river from prudent consideration of the prowess of the ram Louisiana, which was supposed to be "lively" near the forts. A majority of the garrison of Fort Jackson had surrendered to my pickets the night before the officers made a surrender to Commodore Porter and obtained from him better terms than has been or ought to be given during the war to a rebel officer or soldier, and under those terms the rebel General Duncan claims a right to be and is in the army of Beauregard, giving "aid and comfort," and only holding himself "not to serve in arms," which are the terms of his parole. I send a copy of the terms of capitulation. I do not wish to take from the well-earned and well-deserved consideration due to the navy for their brilliant exploit in running past Forts St. Philip and Jackson. I have borne and shall ever bear testimony to their

courage and gallantry on that occasion, but after that no shot was fired until the surrender, and the forts could have been held for weeks, if not months, so far as the bombardment was concerned, for in the judgment of the best engineering skill they were then as defensible as before the bombardment. I will not permit too great meed of praise on the part of anybody to take away the merit fairly due my brave soldiers, who endured so much hardship and showed as much bravery as the most gallant tar of them all, for we landed within five miles above the forts and "lively ram," protected by only two gunboats, while the mortar boats, protected by seven gunboats, retreated twenty-five miles below the forts and out of the river.



## CHAPTER IX.

## TAKING COMMAND OF A SOUTHERN CITY.

ON the morning of the first day of May, having determined to disembark my troops, or as many of them as had then arrived, and take possession of the city at sundown, I issued the following order: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 1, 1862.

General Order No. 15.

I. In anticipation of the immediate disembarkation of the troops of this command amid the temptations and inducements of a large city, all plundering of private property, by any person or persons, is hereby forbidden, under the severest penalties.

II. No officer or soldier will absent himself from his station without arms or alone, under any pretext whatever.

III. The commanders of regiments and companies will be held responsible for the strict execution of these orders, and that the offenders are brought to punishment.

By command of

MAJOR-GENERAL BUTLER.

GEORGE C. STRONG, *A. A. General.*

It may be asked why we waited until near sundown. When troops are taking possession of a city where there is possibility of assault by a mob, it is always best that it should be done in the dark. The general then always knows where his troops are, and how many of them there are, while the mob can have no concerted action, and are not able to organize any in the dark. If your column is fired upon from houses, the flash will show every window from which the missiles come, and those windows can instantly be

filled with returning bullets. Furthermore, the column, unless it is too long, can be protected in the street better in the dark than in daylight.

None of my troops up to this time had ever received or given a hostile shot, and I thought it would give them more confidence if I should lead the column, as I did at Baltimore. But this time I went on foot, as I had no horses.

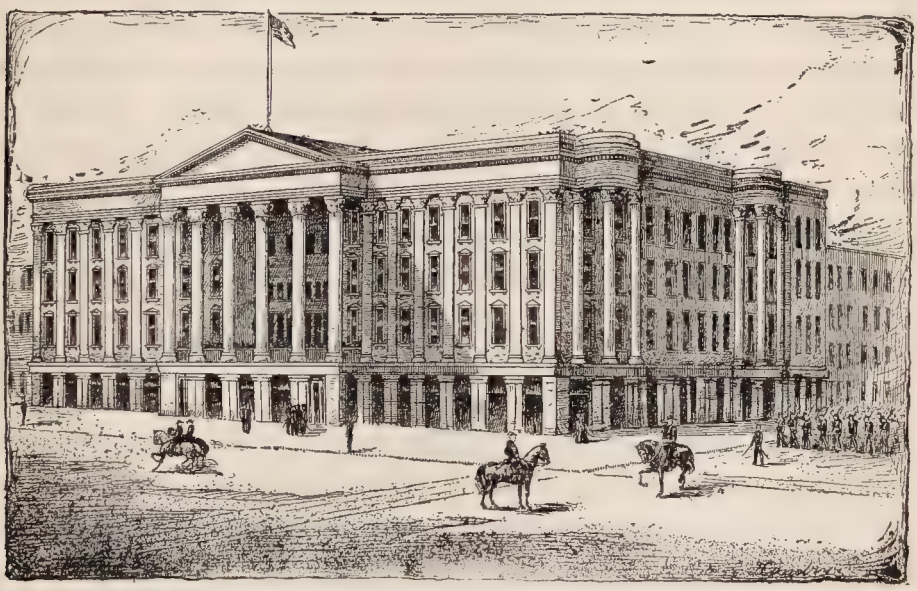
We marched without opposition to the Custom House, an immense granite building covering some acres and making a complete citadel. Having disposed of my troops, I returned to the St. Charles Hotel with one company of the Thirty-First Massachusetts as a headquarters guard. My officers having taken possession of the hotel, I returned to the steamer Mississippi, brought Mrs. Butler on shore, and took her to the hotel in a carriage.

The hotel keeper informed my adjutant-general, Major Strong, that he was afraid to have us come there lest some of the waiters should poison our food. Strong observed in his hearing: "Well, General, if we are poisoned, the one who survives the longest will have a lively recollection of him who keeps this hotel."

After breakfast I sent a staff officer to the mayor of the city, asking that he and the representatives of the city government call upon me at the hotel. The mayor at first said: "No; tell General Butler if he wants to see the city government he will call upon them." The officer said to him kindly but significantly: "You had better not have me deliver that message to General Butler, for if you do I shall have to bring you to him in a way that may be unpleasant."

The city was untamed. The mayor came down to the hotel about two o'clock, and was received by me in the ladies' parlor, which was in a corner of the building on the first floor. It was a large room and looked out upon a balcony. Both streets, St. Charles and Common, were packed with a very clamorous and obstreperous mob. They did not seem to be the canaille. They interrupted our consultation by their noise very considerably. Lieutenant Kinsman came in and reported that a Union man, Mr. Somers, who had once been recorder of the city, and who had taken refuge on board the Mississippi, had just been brought off to the hotel. I directed that he should be taken down to the Custom House for safety. As he was well known to the mob, I thought it

was dangerous for him to have to go through the mob without a strong force, and I directed Lieutenant Kinsman to take my headquarters guard at the St. Charles down to the Custom House with him. The appearance of Somers, guarded, raised the greatest confusion, and we had to wait in our conference, looking out the window at the scene, while the little bunch of troops, gallantly led by Lieutenant Kinsman, took Somers through the crowd. Then the mob gathered about the hotel again, and resumed its shouting and offensive noises. At that moment Captain De Kay crowded through the mob into the hotel. His uniform was almost torn off him.



St. Charles Hotel, New Orleans.

Touching his cap, he said: "General Williams' compliments, and he bids me say to the general commanding that the mob is getting unruly, and asks for orders as to what shall be done with them."

"Give my compliments to General Williams," I answered quietly, "and tell him to clear the streets at once with his artillery."

The captain left with the message. The members of the city government all sprang to their feet, crying: "Don't, General; don't give such an order as that."

"Why this emotion, gentlemen?" I said. "The cannon are not going to shoot our way, and I have borne this noise and confusion as long as I choose to."

"Wait a while, General, wait a while," they said, "and we will go out and speak to the people and advise them to go away, and they will disperse."

"Very well," I said, "so they do disperse, I do not care as to the means; go out and try your hand at it."

And so the mayor made them a speech from the balcony, but they jeered him to his face. Then another spoke, and they chaffed him, calling him all sorts of abusive names, and the speech-making rather increased the uproar.

I stood, a little withdrawn from the window, looking across the street, and I saw a man on the sidewalk having a piece of a United States flag in his button-hole. I inquired who he was and was answered that that was Mumford who had torn down the flag, and that it was a piece of it he wore in his button-hole. I told my orderly, who was standing near me, to take a look at the man so that he would know him if he saw him again.

Then the mob raised the cry: "Where's old Butler? Let him show himself; let him come out here if he dare." The cry was echoed around for a moment: "Where's old Butler?"

I thought it my privilege to answer that call. I stepped forward on the balcony in full sight, with my cap in my hand, and looking on the crowd, as unmoved as possible, said: "Who calls me? I am here." That answer brought a hush, and just at that time a wonderful noise directed my attention up St. Charles Street. The cause of it was in a moment apparent. The Sixth Maine battery, a finely equipped artillery company with six Napoleons, under Captain Thompson, had been encamped in Tivoli Circle. St. Charles Street, down which the battery was coming, was at that time paved with foot square granite blocks, which were in a very uneven condition. Thompson was one of the most dare-devil furious riders I ever saw, and he was leading his battery down the street as if there were nobody in it, every horse driven at the fullest speed and the bugles sounding the charge. No one who has not seen such a charge can imagine the terrible noise and clamor it makes, the cannoneers clinging to their seats, and the wheels of the guns bounding up inches as they thunder over the uneven stones. As I said, the mob was hushed. They turned their eyes on the approaching avalanche and then sought safety in flight. By the time Captain Thompson saluted

as he went by, the whole street was cleared; and when he came "into battery" at the corner, with three guns to clear each street, the scene was as quiet as a children's playground.

From that hour to the time I left New Orleans I never saw occasion to move man or horse because of a mob in the streets of the city.

By arrangement our conference was adjourned until evening, when I could read my proclamation to the city officials. I had a little difficulty in getting it printed. I had it ready early the evening before, that it might come out in the morning papers. I sent it to the office of the *True Delta* by a couple of staff officers, and they were told by those in charge that it could not be printed without the order of the proprietor, who was absent. The next morning at eight o'clock, the officers appeared at the office and saw the proprietor. He said that he could not permit it to be printed, even as a hand-bill. They bowed and retired, and in a short time returned with a squad of men who took possession of the office, "stacked arms," took off their coats, and went to work at the cases and press, and in a very short time had printed as many copies of the proclamation as were wanted. While they were doing that, the following order was issued: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 2, 1862.

General Order No. 17.

The proprietors of the New Orleans *True Delta* having refused to print the proclamation of the major-general commanding in this department, the publication of that paper is suspended until further orders.

By command of

MAJOR-GENERAL BUTLER.

GEORGE C. STRONG, *A. A. General.*

This brought the proprietor to headquarters with a very proper and humble apology, and the order of suspension was revoked.

There were several attempts on the part of the people not to have any intercourse with our soldiers, nor to trade with them. One of the privates went into a shoe store to buy a pair of shoes and asked the price. They were three dollars. He offered the gold for them and

the man replied that he would not sell shoes to a d—d Yankee. The next day the provost marshal put a red flag over the shoe store door and sold its contents at auction. That shopkeeper's experiment was not a happy one. But very soon there was no uncivil treatment received by our soldiers except from the upper class of women.

But to return to our meeting. I read my proclamation to the city officials. Pierre Soulé, late United States senator and minister to Spain, was put forth as their spokesman. Mr. Soulé did not complain of the proclamation except so far as it foreshadowed the occupation of the city. He said that he knew the temper of the people, and their gallant courage, and they never would submit to it, and I should be putting myself and command in great danger if I did not remove my troops from the city. I replied to him in substance that I was surprised to hear threats made in that conference. I had heard them all my life by Southern men in political conventions, but here they were out of place. He replied to me that he had always looked upon me as a friend of Southern rights. To that I answered: "You do rightly. I am a friend to Southern rights now, but I came here to put down Southern wrongs." I then stated to the officials that I desired to go about my work in the field, and should be glad to have the co-operation of the city government in carrying on the government of the city so that I should not have to occupy my time with such details; that if they would pledge me their honor that nothing should be done to aid the Confederacy, and if the city government would occupy itself with attempting to relieve the sufferings of the people of the city, I should be glad to have them take charge of its government, especially as I knew the people were starving for supplies that could not be got from any known source. I further stated to Mr. Soulé: "I learn that we have captured a thousand barrels of Alexandria beef. I will turn that over to the city government to be fed out to the people. I will also give safe conduct to a steamboat to bring from Mobile, and elsewhere, the flour and provisions you have already purchased there [flour was then sixty odd dollars a barrel in the city], provided there shall be nothing come out of this which shall aid the Confederacy, and that the members of the city government give me their solemn assurance that this will

be their course of conduct." That being agreed to they left, with the understanding that I should not interrupt the business of the city government.

The following is a copy of my proclamation: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 1, 1862.

The city of New Orleans and its environs, with all its interior and exterior defences, having been surrendered to the combined naval and land forces of the United States, and having been evacuated by the rebel forces in whose possession they lately were, and being now in occupation of the forces of the United States, who have come to restore order, maintain public tranquility, enforce peace and quiet under the laws and Constitution of the United States, the major-general commanding the forces of the United States in the Department of the Gulf, hereby makes known and proclaims the object and purposes of the Government of the United States in thus taking possession of the city of New Orleans and the State of Louisiana, and the rules and regulations by which the laws of the United States will be, for the present and during a state of war, enforced and maintained, for the plain guidance of all good citizens of the United States, as well as others who may heretofore have been in rebellion against their authority.

Thrice before has the city of New Orleans been rescued from the hand of a foreign government, and still more calamitous domestic insurrection,[1] by the money and arms of the United States. It has of late been under the military control of the rebel forces, claiming to be the peculiar friends of its citizens, and at each time, in the judgment of the commander of the military forces holding it, it has been found necessary to preserve order and maintain quiet by the administration of Law Martial. Even during the interim from its evacuation by the rebel soldiers and its actual possession by the soldiers of the United States, the civil authorities of the city have found it necessary to call for the intervention of an armed body known as the "European Legion," to preserve public tranquility. The commanding general, therefore, will cause the city to be governed, until the restoration of municipal authority and his further orders, by the Law Martial, a measure for which it would seem the previous recital furnishes sufficient precedents.

All persons in arms against the United States are required to surrender themselves, with their arms, equipments, and munitions of war. The body

[1] 1st, by purchase in 1803; 2d, by General Wilkinson in 1807, when the city was supposed to be threatened by Aaron Burr; 3d, by General Jackson in 1814.

known as the "European Legion," not being understood to be in arms against the United States, but organized to protect the lives and property of the citizens, are invited still to co-operate with the forces of the United States to that end, and, so acting, will not be included in the terms of this order, but will report to these headquarters.

All flags, ensigns, and devices, tending to uphold any authority whatever, save the flag of the United States and the flags of foreign consulates, must not be exhibited, but suppressed. The American ensign, the emblem of the United States, must be treated with the utmost deference and respect by all persons, under pain of severe punishment.

All persons well disposed toward the Government of the United States, who shall renew their oath of allegiance, will receive the safeguard and protection, in their persons and property, of the armies of the United States, the violation of which, by any person, is punishable with death.

All persons still holding allegiance to the Confederate States will be deemed rebels against the Government of the United States and regarded and treated as enemies thereof.

All foreigners not naturalized and claiming allegiance to their respective governments, and not having made oath of allegiance to the supposed government of the Confederate States, will be protected in their persons and property as heretofore under the laws of the United States.

All persons who heretofore have given their adherence to the supposed government of the Confederate States, or have been in their service, who shall lay down and deliver up their arms and return to peaceful occupations and preserve quiet and order, holding no further correspondence nor giving aid and comfort to the enemies of the United States, will not be disturbed either in person or property, except so far, under the orders of the commanding general, as the exigencies of the public service may render necessary.

The keepers of all public property, whether State, National, or Confederate, such as collections of art, libraries, museums, as well as all public buildings, all munitions of war, and armed vessels, will at once make full returns thereof to these headquarters; all manufacturers of arms and munitions of war will report to these headquarters their kind and place of business.

All rights of property, of whatever kind, will be held inviolate, subject only to the laws of the United States.

All inhabitants are enjoined to pursue their usual avocations; all shops and places of business are to be kept open in the accustomed manner, and services to be had in the churches and religious houses as in times of profound peace.

Keepers of all public houses, coffee houses, and drinking saloons, are to report their names and numbers to the office of the provost marshal; will there receive license, and be held responsible for all disorders and disturbance of the peace arising in their respective places.

A sufficient force will be kept in the city to preserve order and maintain the laws.

The killing of an American soldier by any disorderly person or mob, is simply assassination and murder, and not war, and will be so regarded and punished.

The owner of any house or building in or from which such murder shall be committed, will be held responsible therefor, and the house will be liable to be destroyed by the military authority.

All disorders and disturbances of the peace done by combinations and numbers, and crimes of an aggravated nature, interfering with forces or laws of the United States, will be referred to a military court for trial and punishment; other misdemeanors will be subject to the municipal authority, if it chooses to act. Civil causes between party and party will be referred to the ordinary tribunals. The levy and collection of all taxes, save those imposed by the laws of the United States, are suppressed, except those for keeping in repair and lighting the streets, and for sanitary purposes. Those are to be collected in the usual manner.

The circulation of Confederate bonds, evidences of debt, except notes in the similitude of bank notes issued by the Confederate States or scrip, or any trade in the same is strictly forbidden. It having been represented to the commanding general by the city authorities that these Confederate notes, in the form of bank notes, are, in a great measure, the only substitute for money which the people have been allowed to have, and that great distress would ensue among the poorer classes if the circulation of such notes were suppressed, such circulation will be permitted so long as any one may be inconsiderate enough to receive them, till further orders.

No publication, either by newspaper, pamphlet, or handbill, giving accounts of the movements of soldiers of the United States, within this department, reflecting in any way upon the United States or its officers, or tending in any way to influence the public mind against the Government of the United States, will be permitted, and all articles of war news, or editorial comments, or correspondence, making comments upon the movements of the armies of the United States, or the rebels, must be submitted to the examination of an officer who will be detailed for that purpose from these headquarters.

The transmission of all communications by telegraph will be under the charge of an officer from these headquarters.

The armies of the United States came here not to destroy but to make good, to restore order out of chaos and the government of laws in place of the passions of men; to this end, therefore, the efforts of all well-disposed persons are invited to have every species of disorder quelled, and if any soldier of the United States should so far forget his duty or his flag as to commit any outrage upon any person or property, the commanding general requests that his name be instantly reported to the provost guard, so that he may be punished and his wrongful act redressed.

The municipal authority, so far as the police of the city and crimes are concerned to the extent before indicated, is hereby suspended.

All assemblages of persons in the streets, either by day or by night, tend to disorder, and are forbidden.

The various companies composing the fire department in New Orleans will be permitted to retain their organizations, and are to report to the office of the provost marshal, so that they may be known and not interfered with in their duties.

And, finally, it may be sufficient to add, without further enumeration, that all the requirements of martial law will be imposed so long as, in the judgment of the United States authorities, it may be necessary. And while it is the desire of these authorities to exercise this government mildly, and after the usages of the past, it must not be supposed that it will not be vigorously and firmly administered as occasion calls.

By command of

MAJOR-GENERAL BUTLER.

GEO. C. STRONG, *A. A. Gen., Chief of Staff.*

When Farragut came up the river to be followed by my troops, Lovell deserted the city with some eight or nine thousand men, some under arms and some otherwise. He encamped at Pontchatoula, about eighty miles from the city, to which he was taken by cars.

When the government became established, the men who were forced to go with Lovell returned, so that his command dwindled down quite one half. The men came back to New Orleans, put on citizens' clothes, and went about their business.

In the interval between the evacuation by Lovell and Farragut's arrival, a panic had seized the city, exhibiting itself in the destruction of property. Cotton, sugar, tar, rosin, timber, and coal were set on fire, and all the ships and vessels that could not be taken away with a few exceptions were burned. There was even some

talk among the citizens of burning the city. Some of the Confederate leaders favored it on the ground that there was a large foreign interest in the city, especially French, and that if the city were destroyed it would bring the war so home to them that France would try to cause it to be ended by intervention.

This destruction of property was also done on the outside of the city upon the ground that the supplies, especially cotton, would be destroyed by us upon capture. To allay this fear I issued General Order No. 22: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 4, 1862.

General Order No. 22.

The commanding general of the department having been informed that rebellious, lying, and desperate men have represented, and are now representing, to honest planters and good people of the State of Louisiana that the United States Government by its force has come here to confiscate their crops of cotton and sugar, it is hereby ordered to be made known by publication in all the newspapers of this city that all cargoes of cotton and sugar shall receive the safe conduct of the force of the United States; and the boats bringing them from beyond the lines of the United States force may be allowed to return in safety, after a reasonable delay, if their owners so desire, provided they bring no passengers except the owners and the merchandise of said boats and the property so conveyed, and no other merchandise except provisions, which such boats are requested to bring a full supply of for the benefit of the poor of the city.

By command of

MAJOR-GENERAL BUTLER.

GEORGE C. STRONG, *A. A. General.*

When that order was published, my enemies and the enemies of the country — they were not two classes then — immediately announced that I was using my troops in New Orleans for the purpose of private trade and speculation. It will be observed that the order says "property shall have safe conduct," but I had to buy upon my own personal credit, for I had no public money on hand. So I opened a credit with Mr. Jacob Barker, a banker, who, upon pledge of the supplies purchased, advanced money on my purchases.

After I had landed my troops I had a large number of transport vessels that had to be returned to New York and Boston in ballast.

General Beauregard had called on the people to bring to him all their plantation and church bells to be cast into cannon, and those and some old rejected guns were everything I had with which to ballast all those ships. There was nothing to be found in New Orleans with which to ballast a vessel, as they never had occasion to ballast ships upon the outward voyage, because they always went out with cargo. The only other thing that could be had with which to ballast a vessel was white sand, and that would have to be brought in boats from Ship Island, more than one hundred miles off. The demurrage which the government must then pay by its charter for the delay in ballasting with sand would be many thousand dollars.

My first purchases of sugar were to the amount of $60,000. This gave such confidence to the merchants that they made application to my brother, who was my agent in carrying on these transactions, to allow them to put their own sugar on board the vessels as ballast, paying a reasonable freight, consigned to New York. This I agreed to and established the freight at ten dollars a hogshead. One half of this was his commission for doing the business, he not being an officer of the government. It would have been better to have paid ten dollars a hogshead for leave to carry it than to have to ballast. I sent both the church bells and the old cannon, but they were only a flea bite of what was wanted.

Nothing could have done as much for the pacification of the merchants of New Orleans as did these transactions.

Some of the northern journals of that day will show articles which would have deterred a fainter-hearted man than myself from continuing. Yet I got all my ships off with just freight enough for ballast, and then, upon my recommendation, on the 1st of June the port of New Orleans was opened, postal communication with the rest of the country re-established, and a collector of customs appointed for my department. Meantime I reported to the War Department as follows: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 16, 1862.[1]

HON. E. M. STANTON, SECRETARY OF WAR: —

. . . . . .

In accordance with the terms of my order No. 22 I have caused to be bought a very considerable quantity of sugar, but as yet very little

[1] War Records, Series I., Vol. XV., page 423.

cotton. This has gone very far to reassure the planters and factors. They are sending their agents everywhere into the interior to endeavor to stop the burning of the crops.

Nobody can be better aware than myself that I have no right to buy this property with the money of the United States, even if I had any of it, which I have not. But I have bought it with my own money and upon my individual credit. The articles are sugar, rosin, and turpentine. I have sent these as ballast in the several transport ships, which otherwise would have to be sent to Ship Island for sand. These articles will be worth more in New York and Boston than I paid for them here through my agents. If the government chooses to take them and reimburse me for them I am content. If not, I am quite content to keep them and pay the government a reasonable freight. Whatever may be done the government will save by the transaction. I only desire that neither motives nor action shall be misunderstood.

. . . . . .

BENJ. F. BUTLER,

*Major-General Commanding.*

All this action of mine was approved of by the Secretary of War, as will appear by his message of June 10, which I shall give later on.

I was very much puzzled to know whether this policy of burning the crops was that of the rebel government or of an insane wretch, one Thomas O. Moore, governor of Louisiana and commander-in-chief of its militia, who issued some crazy orders once as to hanging instantly without trial any person who should be found to have my pass in his possession.

Upon examination I now find the evidence conclusive that this burning of the crops was a premeditated and preconceived design of the rebels, pervading the congress and the executive. A question arose in the mind of General Lovell whether they should burn any other property than Confederate, leaving the property of foreigners untouched. But it was determined by the cabinet and Jefferson Davis that the property of foreigners should also be destroyed, in order to inflame foreign nations against us as the cause of loss, so as

to make them interfere in behalf of the South — somewhat illogical but certainly true.[1]

The burning of property substantially ceased, and I purposely refrained from seizure or interference with it until the country got quieted down, and only returned to the policy of seizure afterwards because of the confiscation acts of our Congress.

One thing I may say here as well as elsewhere, that from the hour I left Washington in February, 1862, to the hour of the despatch given below, I never received any direction or intimation from Washington or anywhere else how I should conduct the expedition or carry on the administration of the government in that department; and by no word ever afterwards was the confidence and high praise therein expressed by my official superiors as to my proceedings in New Orleans withdrawn. Following is the despatch referred to: —

WAR DEPARTMENT,
WASHINGTON, June 10, 1862.

MAJ.-GEN. BENJAMIN F. BUTLER,

Commanding, etc., New Orleans:

*General:* — Your interesting despatches, announcing the brilliant success of your expedition, as well as those sent by Colonel Deming and Mr. Bouligny, were duly received. No event during the war has exercised an

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[1] Randolph, the rebel Secretary of War, wrote to Lovell, April 25, 1862, as follows:—

It has been determined to burn all the cotton and tobacco, whether foreign or our own, to prevent it from falling into the hands of the enemy. You will, therefore, destroy it all if necessary to prevent them from getting it.

This was sent on the 25th of April, but did not reach Lovell. It was again sent on the 28th, and did not reach him directly, but he did get it on the 7th of May.

Randolph renewed the instructions on May 21, 1862. [War Records, Series I., Vol. XV., pp. 459–471.]

The following is from Lovell's order pursuant to the instructions from Randolph [War Records, Series I., Vol. XV., pp. 459–460]: —

HEADQUARTERS DEPARTMENT No. 1, C. S. A.
CAMP MOORE, LA., May 3, 1862.

General Orders No. 17.

. . . . . .

It is with the people to decide this question for themselves. If you are resolved to be free; if you are worthy of the heroic blood that has come down to you through hallowed generations; if you have fixed your undimmed eye upon the brightness that spreads out before you and your children, and are determined to shake away forever and ever all political association with the vandal horde that now gather like a pestilence about your fair country, now, now, my fellow-citizens, is the time to strike. *One sparkling, living touch of fire*, in manly action for one hour upon each cotton plantation, and the eternal seal of Southern independence is fired and fixed in the great heart of the world.

. . . . . .

Your major-general calls in this hour of danger for one heroic effort, and he feels consciously proud that he will not call in vain. Let not a solitary bale of cotton be left as spoil for the invader, and all will be well.

By order of
MAJOR-GENERAL LOVELL.

J. G. PICKETT, *Assistant Adjutant-General.*

influence upon the public mind so powerful as the capture and occupation of New Orleans. *To you and to the gallant officers and soldiers under your command, the Department tenders cordial thanks. Your vigorous and able administration of the government of that city also receives warm commendation.*

. . . . . .

With admiration for your achievements, and the utmost confidence in your continuous success, I remain,

Truly yours,

EDWIN M. STANTON,

*Secretary of War.*[1]

Again, this is evidenced by a very highly prized letter of Mr. Lincoln asking me to come to him even before I returned to my family.

Another matter that required instant attention, even in the midst of the flame and smoke of burning property, was the absolutely starving condition of the people of New Orleans. It was difficult enough to get supplies, even while the army of Lovell was there; but after the news of the bombardment and passage of the forts, nothing came into the city and everything went out. The fleeing inhabitants almost took their kneading troughs and the contents on their backs,— as did the children of Israel,— as they fled to the surrounding country, which was wholly without supplies. Flour was sixty dollars a barrel, and little to be had at that. The condition will be described in a word, as it was to me by the Hon. Thomas J. Durant, leading Unionist and formerly the attorney-general of Louisiana: "General, you will understand to what we are reduced when I tell you that the day before you landed, all that my children had to eat was two ginger cakes got from a confectioner."

The city authorities had depended on supplies of flour purchased in Mobile and Alexandria, but the ascent of our fleet and the presence of our gunboat, the New London, on the waters of the Gulf, had prevented the delivery.

On the 3d of May, at my first meeting with the city government, this condition of suffering and starvation was brought to my attention. I had already learned that we had captured a thousand barrels

[1] War Records, Series I., Vol. XV., p. 471.

of beef salted at Alexandria and furnished for the rebel troops, but which they could not take with them. I immediately ordered this to be turned over to the committee of the city government, to whom Pierre Soulé was added. This I did upon the solemn pledge that all such provisions should be used only for a supply for the inhabitants of the city. On the morning following, I issued General Order No 19: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 3, 1862.

General Order No. 19.

The commanding general of this department has been informed that there is now at Mobile a stock of flour purchased by the city of New Orleans for the subsistence of its citizens. The suffering condition of the poor of this city, for the want of this flour, appeals to the humanity of those having authority on either side.

For the purpose of the safe transmission of this flour to this city, the commanding general orders and directs that a safe conduct be afforded to a steamboat, to be laden with the same to this place. This safe conduct shall extend to the entire protection of this boat in coming, reasonable delay for discharge and return to Mobile. The boat will take no passengers save the owners and keepers of the flour, and will be subject to the strict inspection of the harbor master detailed from these headquarters, to whom its master will report its arrival.

The faith of the city is pledged for the faithful performance of the requirements of this order on the part of the agent of the city authorities, who will be allowed to pass each way with the boat, giving no intelligence or aid to the Confederates.

By command of

MAJOR-GENERAL BUTLER.

GEORGE C. STRONG, *A. A. General.*

On the succeeding day, I issued an order directing safe conduct for bringing, from the Red River, provisions which had been purchased there by the city, and a similar order to the Opelousas Railroad Company to bring to the city such provisions and such supplies as it might, and made safe conduct for the agents, messengers, and employees of the vessels and the railroad. Provisions were at once brought in from these several sources and the immediate and pressing necessities of the citizens were relieved.

Executive Mansion.

Washington, December 23, 1862.

Major General B. F. Butler

My dear Sir:

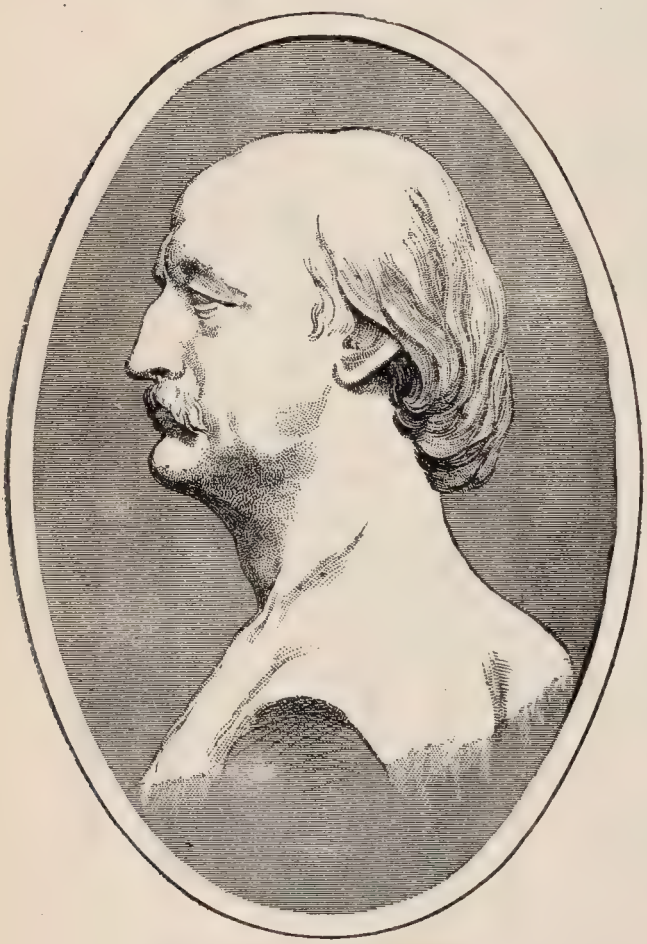
I believe you have a family, and I dislike to deprive you of an early visit to them. But I really wish to see you at the earliest moment. I am contemplating a peculiar and important service for you, which I think, and hope you will think, is as honorable, as it is important. I wish to confer with you upon it. Please come immediately upon your arrival at New York.

Yours very truly

A. Lincoln.

FAC-SIMILE LETTER OF ABRAHAM LINCOLN.

Before the war, I had met gentlemen of the South whose word I would take implicitly. I believed them men of honor, and they were so. But the dire crime of treason seemed to have obliterated the consciences of quite all of them, as well as of the foreign officials who resided among them, just as the man who makes up his mind to dishonor the wife of his friend, also prepares his conscience to permit his perjury to defend himself and her in the crime. Sir Walter Scott treats this, in a public speech, as the acknowledged duty of a gentleman. So, in the South, no pledge or engagement made with a Yankee was held to be binding.



BENJ. F. BUTLER IN 1863.
Engraved from a Life-size Bust.

The most flagrant instance of this was in the case of the McRae, captured at Fort Jackson. She was the only Confederate gunboat that had not been destroyed by Farragut's fleet in its passage of the forts. The enemy asked that she might be sent up under a flag of truce as a cartel to carry their wounded officers and men to the city. Of course she was to return and deliver herself up, because, as she was then, with Farragut's fleet above and below her, she could not possibly have escaped. This arrangement was made between Captain Smith, commanding the Mississippi at the quarantine, and the officers of the Confederate navy. They deliberately caused holes to be bored in the steamer, as she lay in the river after they had landed

from her, and sunk her. They took care to keep themselves out of New Orleans after I came, for if I had found them there, they would have been deprived of future opportunity to do any more rascality, and by the most effectual means.

I soon learned that the committee, with the assent of Soulé, had smuggled the one thousand barrels of beef intrusted to them across the lake to feed Lovell's troops at Camp Moore and left their fellow-citizens to starve, and that the boats sent to Mobile for provisions had been made despatch boats for the carrying of mail under the direction of the French consul, and of treasonable correspondence giving information to the rebels as to the condition of military and naval affairs in the Department of the Gulf.

Charles Heidsieck, a partner in the French firm of Heidsieck & Co., producers and venders of champagne, disguised himself as a bar-keeper, in order to pass backward and forward on the supply boats as a messenger and spy. This was known to some of the committee of the city government, and by a conforming coincidence the same sort of use was made of the boats bringing the city's provisions from Alexandria, and also for another purpose which was not to our disadvantage.

After my proclamation giving assurance that the gold in the banks of New Orleans would be safe, these banks sent in to the Confederacy at Richmond for *safety* rising six millions in gold. This was part of the thirteen millions which they had at the time of the passage of the forts. One of the banks wanted to get its gold back, and so brought it in barrels of beef by the provision boats. It may be well to say in passing, that the gold thus sent away all the banks very much wanted to get back again, and applied to the rebel government for leave to have it sent, and applied to me for permission to have it returned and delivered to them. Memminger, the secretary of the rebel treasury, refused that permission, and the Confederate government took possession of the gold as "a sacred trust." But that gold afterwards was carried off from Richmond when Jeff Davis escaped, and at his capture was plundered by those having it in charge.

Of course these modes of bringing provisions to the city had to be stopped on account of the abuses made of the privileges granted. This, of course, brought the city again almost to the verge of starvation. The city government had not voted a single dollar for the

relief of the poor. There were one hundred and fifty thousand inhabitants. There were more paroled rebel soldiers in the city than the general had troops within fifty miles of his headquarters. The families of many of those who had gone to Shiloh, Richmond, and the other Confederate armies, were all left behind, generally in a state of destitution. What was to be done?

It was attempted to meet this exigency by the following order: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 9, 1862.

General Order No. 25.

The deplorable state of destitution and hunger of the mechanics and working classes of this city has been brought to the knowledge of the commanding general.

He has yielded to every suggestion made by the city government, and ordered every method of furnishing food to the people of New Orleans that government desired. No relief by those officials has yet been afforded. This hunger does not pinch the wealthy and influential, the leaders of the rebellion, who have gotten up this war, and are now endeavoring to prosecute it, without regard to the starving poor, the workingman, his wife and child. Unmindful of their suffering fellow-citizens at home, they have caused or suffered provisions to be carried out of the city for Confederate service since the occupation by the United States forces.

Lafayette Square, their home of affluence, was made the depot of stores and munitions of war for the rebel armies, and not of provisions for their poor neighbors. Striking hands with the vile, the gambler, the idler, and the ruffian, they have destroyed the sugar and cotton which might have been exchanged for food for the industrious and good, and regrated the price of that which is left, by discrediting the very currency they had furnished, while they eloped with the specie; as well as that stolen from the United States, as from the banks, the property of the good people of New Orleans, thus leaving them to ruin and starvation.

Fugitives from justice many of them, and others their associates, staying because too puerile and insignificant to be objects of punishment by the clement Government of the United States.

They have betrayed their country.

They have been false to every trust.

They have shown themselves incapable of defending the State they had seized upon, although they have forced every poor man's child into their

service as soldiers for that purpose, while they made their sons and nephews officers.

They cannot protect those whom they have ruined, but have left them to the mercies and assassinations of a chronic mob.

They will not feed those whom they are starving.

Mostly without property themselves, they have plundered, stolen, and destroyed the means of those who had property, leaving children penniless and old age hopeless.

Men of Louisiana, workingmen, property-holders, merchants, and citizens of the United States, of whatever nation you may have had birth, how long will you uphold these flagrant wrongs, and, by inaction, suffer yourselves to be made the serfs of these leaders?

The United States have sent land and naval forces here to fight and subdue rebellious armies in array against her authority. We find, substantially, only fugitive masses, runaway property-burners, a whiskey-drinking mob, and starving citizens with their wives and children. It is our duty to call back the first, to punish the second, root out the third, feed and protect the last.

Ready only for war, we had not prepared ourselves to feed the hungry and relieve the distressed with provisions. But to the extent possible within the power of the commanding general, it shall be done.

He has captured a quantity of beef and sugar intended for the rebels in the field. A thousand barrels of these stores will be distributed among the deserving poor of this city, from whom the rebels had plundered it; even although some of the food will go to supply the craving wants of the wives and children of those now herding at "Camp Moore" and elsewhere, in arms against the United States.

Capt. John Clark, Acting Chief Commissary of Subsistence, will be charged with the execution of this order, and will give public notice of the place and manner of distribution, which will be arranged, as far as possible, so that the unworthy and dissolute will not share its benefits.

By command of

MAJOR-GENERAL BUTLER.

GEO. C. STRONG, *A. A. G., Chief of Staff.*

Under this order 32,400 men, women, and children had these provisions distributed to them, under a system which ensured that the food went to the weakest every day. These were all poor whites; the blacks were otherwise provided for. My supplies for the army

having arrived from New York, I directed my commissary to "sell to families for consumption, in small quantities, until further orders, flour and salt meats, viz.: pork, beef, ham, and bacon, from the stores of the army, at seven and a half cents per pound for flour, and ten cents for meats, city bank notes, gold, silver, or treasury notes to be taken in payment." Flour went down from sixty to twenty-five dollars a barrel in the course of thirty days, and for those who had means to purchase, starvation was not possible.

But still the question of how the poor were to be fed ultimately, and at whose cost, pressed back upon me, and that was complicated with another question which was, how the health of the city was to be guarded and preserved. The yellow fever had always within the memory of man been the scourge of New Orleans, returning every summer with such virulence as to drive from the city all unacclimated persons who could get away. In 1853, the victims of yellow fever were so numerous that there were no means of burying them, and so they were removed by cremation, their bodies being piled up for that purpose in heaps. And yet, even after that terrible warning, no method or means of prevention in the future had ever been had. The reason for this is best told in the words of a leading editorial in the *True Delta*, the proprietor of which, it will be recollected, was so ardent a secessionist that he refused to print my proclamation. The editorial was printed after he was disciplined for his secession conduct.: —

"For seven years past," said the *True Delta*, of May 6, "the world knows that this city, in all its departments, — judicial, legislative, and executive,— has been at the absolute disposal of the most godless, brutal, ignorant, and ruthless ruffianism the world has ever heard of since the days of the great Roman conspirator. By means of a secret organization emanating from that fecund source of every political infamy, New England, and named Know-Nothingism or 'Sammyism,' — from the boasted exclusive devotion of the fraternity to the United States,— our city, from being the abode of decency, of liberality, generosity, and justice, has become a perfect hell; the temples of justice are sanctuaries for crime; the ministers of the laws, the nominees of blood-stained, vulgar, ribald caballers; licensed murderers shed innocent blood on the most public thoroughfares with impunity; witnesses of the most atrocious crimes are either spirited away, bought off, or intimidated from testifying;

perjured associates are retained to prove alibis, and ready bail is always procurable for the immediate use of those whom it is not immediately prudent to enlarge otherwise. The electoral system is a farce and a fraud; the knife, the slungshot, the brass knuckles determining, while the sham is being enacted, who shall occupy and administer the offices of the municipality and the commonwealth. Can our condition surprise any man?

. . . . . .

"We accept the reproach in the proclamation, as every Louisianian, alive to the honor and fair fame of his State and chief city, must accept it, with bowed heads and brows abashed."

The condition of peace, order, and quiet to which the city had been brought at this time, is also certified to by the New Orleans *Bee*, another secession paper. The *Bee* of May 8 said:—

The federal soldiers do not seem to interfere with the private property of the citizens, and have done nothing that we are aware of to provoke difficulty. The usual nightly reports of arrests for vagrancy, assaults, wounding, and killing, have unquestionably been diminished. The city is as tranquil and peaceable as in the most quiet times.

About the fourth day after my proclamation, I drove out in a calash with my wife one morning to take a look at the condition of the city and its suburbs. We took no guard save an orderly on the box. General Kinsman of my staff was with us. We went up the river in a street parallel with it and about one hundred yards from it. A little way up the river we came upon the "basin," a broad opening or pond for the reception of canal boats. A canal extended from this point across to Lake Pontchartrain. As we approached the "basin," the air seemed filled with the most noxious and offensive stenches possible,—so noxious as almost to take away the power of breathing. The whole surface of the canal and the pond was covered with a thick growth of green vegetable scum, variegated with dead cats and dogs or the remains of dead mules on the banking. The sun shone excessively hot, and the thermometer might have been 120°. We turned to the right and went down along the canal as far as Lake Pontchartrain, finding it all in the same condition until within a few rods of the lake. We drove back by a very different route.

I sent immediately for the city officer charged with the superintendence of the streets and canals, and responsible for their condition. He was an officer whom I had not seen. He reported immediately.

"You are the superintendent of streets and canals, are you?"

"Yes, General."

"What is the matter with the new canal at the head of it and all along down?"

"Nothing, that I know of, General."

"Have you been up lately to the head of it?"

"Yes; there yesterday."

"Didn't you observe anything special when you were there?"

"No, General."

"Not an enormous stink?"

"No more than usual, General; no more than there always is."

"Do you mean to tell me that the canal always looks and stinks like that?"

"In hot weather, General."

"When was it cleaned out last?"

"Never, to my knowledge, General."

"Well, it must be cleaned out at once, and that nuisance abated."

"I cannot do it, General."

"Why not?"

"I don't know how."

"Very well, your services are no longer required by the government for the city. I will find somebody who does know how. Good-morning, sir."

I had learned that the rebels were actually relying largely upon the yellow fever to clear out the Northern troops, the men of New England and the Northwest, with their fresh lips and clear complexions, whom they had learned from experience were usually the first victims of that scourge. I had heard also (I hope it was not true, but yet I believe it) that in the churches prayers were put up that the pestilence might come as a divine interposition on behalf of the brethren. Every means was taken to harass my naturally homesick officers and soldiers with dire accounts of the scourge of yellow fever.

I had also heard, but did not believe it true, that General Lee relied for the defence of Louisiana and the recapture of New Orleans, upon the depletion of our troops by yellow fever; but, alas! it was true, as shown by the following correspondence: —

HEADQUARTERS DEPARTMENT No. 1, C. S. A.,
CAMP MOORE, LA., May 12, 1862.

GOVERNOR THOMAS O. MOORE:

*Sir:*— . . . With reference to your want of knowledge of my plans, it has probably escaped your mind that I read to you yesterday that part of my letter to General Lee which related to my future course of action, and it seemed to meet the approval of Judge Moise and yourself. It was simply to organize a central force of 5,000 men, which, in connection with corps of Partisan Rangers, might succeed in confining the enemy to New Orleans, and *thus subject him to the diseases incident to that city in summer.* If I cannot organize that central force, I fear that I shall be compelled to abandon that plan and be driven from the State; and it was the possibility of this result which induced my note of this morning.

Respectfully your obedient servant,

M. LOVELL,

*Major-General Commanding.*

This letter shows that this question was submitted to Lee on or before the 12th of May, and that it was agreed to by Governor Moore and Judge Moise; and there is nothing in the "War Correspondence" which shows that it was ever objected to by Lee.

I ought to state what the dangers were. It is well known that persons having had the yellow fever and thus becoming acclimated, are no more liable to a recurrence of the disease than in the case of that other scourge of armies, the smallpox.

In the year 1853, beginning August 1, excluding those that were not liable to have the yellow fever and those who had gone out from New Orleans for the summer, the population open to the disease was thirty thousand only. On the first week in August there were 909 deaths from yellow fever; on the second week, 1,282; on the third week, 1,575; and on the fourth week, the deaths in one day, the 22d of August, were 239; so that, from the

28th of May, there were 7,439 certified deaths by yellow fever. Many hundreds died away from the city and up the river, and many died on the steamers, while attempting to get away. These figures do not include those who died in the suburbs, Algiers, Jefferson City, Ætna, and Carrollton. Thus, of 30,000 total, one in every four died.

No conversations went on in the presence of my officers other than descriptions of the incidents of the attacks of the terrible fever in 1853, when its dead lay in heaps because of the inability of the living to inter them.

An instance was reported to me which was quite laughable. Near the lower boundary of the part of New Orleans known as Frenchtown, which was then, perhaps, the most filthy of all, a poor soldier from Maine, homesick, dreaming of the pure air and bright landscape of his native State and pining to return thereto, was pacing his weary beat. Naturally he listened to the conversation that went on around him, and accordingly he was attacked in this way: Two newsboys stood near him and one said: "Jack, have you heard the news?" "No, Tom, what is it?" "Got the yellow fever prime down in Frenchtown; two Yanks dead already. It will sweep them all off."

No surgeon in my army ever saw a case of yellow fever or had any instruction in meeting this hideous foe. A panic seized many of my officers. There were still other reasons for them to pine for home. New troops were being raised, and as the Army of the Gulf had acquired some reputation, the governors of all States, save Massachusetts, were glad to get officers from my army to promote into these new regiments. So, if they could but get home, they would find safety, promotion, and happiness. They were becoming downcast, and I feared the effect of this very despondency in increasing the liability to the disease.

I asked one old New Orleans physician if there were any means of keeping the fever away from the city. He told me there was none. I asked him if there were no means of preventing its spreading over the city. He told me he knew of none, after it once got there. The quarantine might be of some advantage, but if the fever ever got into the city, especially under the circumstances, the city having been occupied by armed forces for many months and being

in a horrible condition as to cleanliness, he saw no reason why the disease would not spread with irresistible fury, as so many unacclimated persons were confined there. I asked him if he had any authorities upon the peculiarities of the disease. He said that the best book he knew of was the description of the rise, progress, and decline of the disease in 1853, by Professor Everett, who had written upon the matter very intelligently. I asked him if he would loan me the treatise and he assented. I asked him if he would attach himself to my headquarters as a physician. He said to me that it would be his ruin to do such a thing.

My medical director had been chosen for me and sent down to serve under me. He was a gentleman of very high family and respectable acquirements, but had had no long service in the army or elsewhere. I talked with him about this disease and discovered that he was utterly at sea.

Meantime, as soon as I would listen to them, at orderly hours every day there were applications by officers for leave of absence to go home, under every excuse and every sort of pretence. Some men whom I knew to be good men would come to me with excuses and reasons that they should be furloughed. Only one of my staff officers went home, and he did not come back. Fortunately nobody could go home without my written pass.

My own patience broke down under the continual perplexity of these applications, for I was continually tried with certificates of ill health from every kind of a physician. I may relate a single incident: An officer whom I knew to be a brave and respectable man,— one who would have gone to the cannon's mouth, I have no doubt, upon a simple order, — got terribly frightened about yellow fever. He came to me with two or three certificates, by which he hoped I would be induced to give him a leave of absence. At last he brought one from the surgeon of his regiment, who I knew would probably sign anything that his major desired. It was very carefully worded, declaring that the officer's state of health was such that there was great danger that his life would not be spared longer than thirty days. That was a safe certificate to give, because all of us were then in danger that our lives would not be spared more than thirty days, if as long. I looked my applicant straight in the eye and said: "I differ in opinion with your doctor, and I am going to

try an experiment. I shall keep you here thirty days, and if you die in that time I will beg the doctor's pardon for doubting his skill; if you don't, it will be just as well as though you had gone home." Imagine his disgust and his hard feeling at the moment. But we lived to be afterwards the very best of friends. He did not die nor was his life in any more danger than mine.

I found a map showing the localities of the city; the portions where the yellow fever usually raged being indicated by heavier shading. I found by the professor's book that the fever had usually originated in the immediate vicinity of the French market. I rode around and examined the French market and a number of other localities, and I thought I detected why it raged in those spots; they were simply astonishingly filthy with rotting matter. In the French market the stall women were accustomed to drop on the floor around their stalls all the refuse made in cleaning their birds, meats, and fish. Here it was trodden in and in. This had been going on for a century, more or less.

The fact that the disease flourished so much in the vicinity of decaying and putrid animal matter led me to the conclusion that this prolific cause of the typhus and typhoid fever must have something to do with *el vomito*. Upon my further diagnosis of the disease I found that it had also the peculiar characteristics of the congestive fevers caused by malarial exhalations from decaying vegetable matter. It seemed to me, as near as I could get at it, two intermingled or conjoint fevers affecting the patient's system at the same time. Therefore I argued that if we could get rid of the producing causes of either one of those species of fever we might not have a yellow fever even if the people were subjected to the cause of the other fever. Examining further, as well as I could, it seemed to me that it was nearly impossible in New Orleans to remove the seeds or germs of malarial fever, — the fever called in the West fever and ague, — because vegetation blossoming in February died in August, and under the hottest possible sun was soon decaying. Moreover, the vegetable growth was so enormous that in the summer it was present in a decaying condition everywhere. Therefore to attempt to get rid of the decomposed vegetable matter would be impracticable.

Turning my attention to the decaying animal matter and filth, I came to the conclusion that this could be disposed of so that the city

would not be covered with an atmosphere impregnated with those germs of disease which cause ship or jail fevers the world over, emanations from the human body being the most prolific source of them. I learned that New Orleans was a city very easy to clean of that sort of matter. It had no sewers, but only drains, which were above ground and could easily be gotten at. I found that these ditches and drains had not been cleaned for many years.

There were three canals or bayous which ran from the river through the city into Lake Pontchartrain, a shallow lake, four or five miles away, into which the salt water flowed through the rigolets or straits leading in from the Gulf of Mexico. There were numerous fresh water streams running into the lake which very considerably freshened the water.

I learned from an old engineer that the lake had another peculiarity. The difference in the tide in the Gulf of Mexico rarely exceeded eighteen inches. The blowing of the winds into the Gulf and out of the Gulf overcame the difference of tides. So with the lake; a good, strong, north wind, called a "norther," would blow the waters of the lake out into the Gulf so as to lower the lake two and one half feet. Again, the south wind would bring a quantity of salt water back into the lake.

All the drainage of the city flowed into the lake through the drains from the houses, and all the water pumped from the Mississippi River by the Commercial Water Works also flowed into the lake through these open drains.

It must be borne in mind that the banks, or levees, of the Mississippi River are some sixteen to eighteen feet higher than the city. When the river is full, one standing in the streets looks up to a ship in the river as he would look up to the top of a house. In the dry time, the water falls away about the same distance, exposing to the sun a wide expanse of "batture," or silt, brought down from above. I am not at all sure that this last is hurtful.

Putting these facts together, I came to the conclusion to try to prevent the yellow fever.

First, I established at the quarantine station, seventy miles below New Orleans, a very strict quarantine, wherein thirty-two and sixty-eight pound shots should be the messengers to execute the health orders. Vessels were required to stop below Fort St. Philip, about

five miles below the quarantine establishment, and there be inspected by the health officer, who would report to me by telegraph the condition of the vessel, passengers, crew, and cargo. The officer at Fort St. Philip was to allow no vessel to go up without my personal order, by telegraph or in writing, and this was not given unless the quarantine physician, upon examination below, reported a clean bill of health in every respect. If any vessel attempted to evade quarantine regulations and pass up without being examined, the vessel was to be stopped if there was power enough in the fort to do it. I required that the term quarantine should be used literally, and any



THE LEVEE AT NEW ORLEANS.

vessel found with sickness on board, of any malarial kind, or with ship fevers, should stay down forty days and not come up again until reinspected. Before this, it had been possible, under the State laws, for such a vessel to come up at the end of ten days, if a dishonest surgeon chose to certify that the vessel would be all right in that time,— a fact he could not know.

One further regulation: No vessel which had come from an infected port, i. e., a port where the yellow fever was prevailing, whatever the condition of her health, should be allowed to come up under forty days.

Having shut the door against our destroying enemy and fastened it securely, I engaged the most competent medical director in the matter of yellow fever there was in the country, Doctor MacCormick, who fought it in New Orleans through the siege of 1853. Before he came I procured a perfectly competent quarantine officer, to whom I was to pay double the salary of the State quarantine officer upon the ground that I did not need his services between the middle of November and the middle of May. This quarantine officer was engaged under a specific contract that he was to have no responsibility for himself and his assistants, except to make true reports of the condition of the vessels, after a full and intelligent examination. And as the health and lives of so many would be dependent upon the truth of those reports, he was notified that any remissness in his duty would be punished with the heaviest punishment known.

The next requirement that complicated the matter was the necessity of doing all this at once. Therefore, on the 4th of June, I sent the following message to the military commandant and the city council of New Orleans: —

New Orleans, June 4, 1862.

To the Military Commandant and City Council of New Orleans:

*General Shepley and Gentlemen:*—Painful necessity compels some action in relation to the unemployed and starving poor of New Orleans. Men willing to labor cannot get work by which to support themselves and families, and are suffering for food.

Because of the sins of their betrayers, a worse than the primal curse seems to have fallen upon them: "In the sweat of thy face shalt thou eat bread until thou return unto the ground."

The condition of the streets of the city calls for the promptest action for a greater cleanliness and more perfect sanitary preparations.

To relieve, as far as I may be able to do, both difficulties, I propose to the city government as follows:

I. The city shall employ upon the streets, squares, and unoccupied lands in the city, a force of men, with proper implements, and under competent direction, to the number of two thousand, for at least thirty working days, in putting those places in such condition as, with the blessing of Providence, shall insure the health as well of the citizens as of the troops.

The necessities of military operations will detain in the city a larger number of those who commonly leave it during the summer, especially women and children, than are usually resident here during the hot

months. Their health must be cared for by you; I will care for my troops. The miasma which sickens the one will harm the other. The epidemic so earnestly prayed for by the wicked will hardly sweep away the strong man, although he may be armed, and leave the weaker woman and child untouched.

II. That each man of this force be paid by the city from its revenues fifty cents per day, and a larger sum for skilled labor, for each day's labor of ten hours, toward the support of their families; and that in the selection of laborers, men with families dependent upon them be preferred.

III. That the United States shall issue to each laborer so employed, for each day's work, a full ration for a soldier, containing over fifty ounces of wholesome food, which, with economy, will support a man and woman.

This issue will be fully equal in value, at the present prices of food, to the sum paid by the city.

IV. That proper muster-rolls be prepared of these laborers, and details so arranged that only those that labor, with their families, shall be fed from this source.

V. No paroled soldier or person who has served in the Confederate forces shall be employed, unless he takes the oath of allegiance to the United States.

I shall be glad to arrange the details of this proposal through the aid of Colonel Shafer, of the quartermaster department, and Colonel Turner, of the subsistence department, as soon as it has been acted on by you.

The reason of this calling upon the city was that I proposed to expend on this work part of the taxes of the city.

I had made the acquaintance of Col. T. B. Thorpe, and we agreed upon the following plan for having the city cleansed and kept clean: —

The occupant of every house was to see that everything within and without its courtelige was cleansed to the acceptance of Colonel Thorpe's inspector, within twenty-four hours of daylight after being served with notice. The outside walls of buildings which were not painted were required to be thoroughly whitewashed with a wash containing a solution of lime, alum, and salt. No refuse of any sort was to be deposited in the yard of any house, but some kind of a receptacle acceptable to the inspector was to be placed on the premises, into which everything of that sort must be put, and

on two given days of the week that receptacle was required to be set out at the edge of the street opposite to the area door: four mule teams or army transportation were to pass through every street on the days designated, and into proper vessels in the wagon the house receptacles were to be emptied. Each wagon was to have with it a cask of chloride of lime, and the receptacle having been emptied was to be examined. If found clean and sweet it was to be set back; if not, it was to be cleansed and disinfected with chloride of lime by those having the wagon in charge. Nothing of any description whatever was to be thrown into the streets or on outlands. Any infraction of these orders was to be punished by imprisonment in the parish prison.

It may be said, it was impossible to enforce such orders. On the contrary, it was perfectly possible when one was in earnest. To show that it could be done, let me give two instances: —

The day of the first publication of the order, a secession trader, after having made some disparaging remarks upon the order, said: "We will see whether if anybody throws anything into the street he is to be put into the parish prison," and thereupon took from his desk a quarter sheet of white paper, stepped to his door and called out to a policeman as he threw it into the street, "You see me do this." The policeman informed me, and I sent for the man. He admitted throwing the paper into the street, but claimed it was his privilege. I told him the streets were made to pass through, and while he took his privilege I would take mine and pass him through the streets into the parish prison to stay three months. There was no more wilful throwing of things into the street.

Another was the case of one of the fashionable ladies of New Orleans, who had a very dirty area. Such a thing as underground drainage for water closets was not known in that city. The excrement was deposited in a deep square box. When that box got full it was drawn out and another one put in its place. Not unfrequently the one drawn out was allowed to stand for months in the area, exposed to the sun. That was the condition in part of this high-toned woman's "back yard," as we call it in New England. My inspector called upon her.

"Did you receive an order?"

"Yes."

"Well, marm," — he was a full-toned Yankee — "why didn't you clean up your back yard?"

"My back yard is as I choose to have it, and it won't be altered at the order of any Yankee."

"Well, marm," falling now fully into the Yankee drawl, "I'm sorry, but you must go and get your calash and fix up a little, and I guess you had better take a shirt with you, for I shall be obleeged to take you to jail, and that would be an awful thing, wouldn't it, to do to such a fine lady as you are?"

"I shall not do anything of the sort," said she.

"Oh, well, marm, I am very sorry, but I am very busy, too," taking out his watch. "I have just got three minutes I can wait upon you to get your calash and shirt, and if you don't do it by then, why I must take you along without them."

She burst into tears and said: "You know I cannot do this work now."

"Oh, well, if a fine lady like you should give me her promise that her yard would be cleaned by to-morrow afternoon I could take her word for it."

The next afternoon the back yard was in apple-pie order.

Thus having got protection from filth in the future, the next requisition was to get rid of the filth that had accumulated. A party of men went down to the French market with an order, accompanied by a few bayonets, which did not do any work. The man who appeared to be in charge was told that the market must be cleaned out at once. The superintendent said that he could not do it. "Very well, then, we shall do it and charge the expense to you." That market had been built by the Spanish, and a pavement had been laid in it. At the time we entered New Orleans, so I was informed, the actual decaying animal matter trodden into the bottom of that market extended up on the supports of the stalls fourteen, eighteen, and twenty-four inches above the pavement. While this cleaning was being done we were waiting a "norther." The city water-works had been ordered to put their whole pumping force on the streets and flush them as well as they could with water, one after the other, and aided by a body of two thousand men to clean out all the drains and ditches, to get a flow of water down these ditches into the canals and bayous. And then a "norther" came,

and blew the water out of the lake, and thus got a draft down the canal. Then men with brushes, hoes, rakes, and other implements followed the water down, clearing the canal and making it perfectly clean, until substantially a clear stream of water flowed through it. The same thing was done with each of the three canals, thus clearing off every place where after careful inspection anything like human excrement or decaying animal matter could be found.

We had one great aid. When it rains in New Orleans, it rains hard. The water comes down in "bucketsful" and the streets are flushed all over. So when the drains were all cleared, it immediately ran off and thus aided us in our work.

I pause here to pay a just tribute to Col. T. B. Thorpe. His life labors had been anything but in the line of this great performance. He was an author and an artist, and not inferior in either calling. The city of New Orleans, as well as the writer, owes him a debt of deepest gratitude, for in addition to doing this work he inaugurated the system by which food was distributed to the thirty-two thousand families who could not get it elsewhere.

I had also adopted the theory that the yellow fever was not indigenous to the climate of New Orleans, and that its seeds had to be brought there. If they were retained there through the winter at any time, it was because they had been so covered up and protected, probably in woollen clothing, as not to feel the effects of a winter's frost. Then, if these seeds germinated, there could be only a sporadic case here and there if there were no atmosphere in which they could flourish.

I know of but one parallel to this in the vegetable kingdom, although there must be many; but this I know experimentally: In a properly prepared bed one may raise mushrooms by impregnating the soil with small bits of other soil containing the reliquæ of the growth of mushrooms, called mushroom spawn. In such a bed mushrooms will be grown in quantity in a single night. If the bed is not properly prepared they will never grow. The bed may be made as rich as possible with one kind of fertilizer or dressing only, and mushrooms will never grow. Another bed may be made just as rich with another kind of fertilizer, and the mushrooms will not grow. But if both of these kinds of fertilizer are mixed together in one bed, then the mushrooms will grow and thrive wonderfully. So all

manner of animal exhalations only in a confined atmosphere will produce plenty of typhus fever. Vegetable exhalations in a like close atmosphere will produce congestive fevers, but none of the typhus type. But putting together both the animal and vegetable exhalations under like conditions, and adding a germ of yellow fever, that scourge will be propagated and will permeate the territory just as far as the atmosphere containing those conjoint elements shall extend.

Fortunately for my theory, I had a confirmation of it. A little tug came over from Nassau, a port which was interdicted because the yellow fever prevailed there. The captain and his vessel being examined by the health officer, it was found that she was loaded with barrelled provisions from New York and that she had stopped at Nassau only to take on coal. It was sworn to, also, that she took on nothing else, especially no passengers, and no part of the crew came from Nassau. They all came from New York, and the tug stopped nowhere, and they all seemed to have been afraid to go on shore at Nassau on account of the fever. As I did not believe that yellow fever could be brought in soft coal, and as the tug had provisions which were needed, I allowed her to come up to New Orleans without the forty days' quarantine.

About four or five days after she got to New Orleans, my medical director came in one morning at orderly hours with a look of great concern upon his face. He had never possessed faith in my ideas about the prevention of yellow fever.

"General," said he, "I am sorry to tell you that you have got two cases of yellow fever down in Frenchtown."

"Ah! Where did they come from?"

"There were two passengers on board the little tug that came from Nassau."

"You must be mistaken, doctor. It was sworn expressly that there were no passengers on board, and certainly none from Nassau," and I called for the report, which was at hand.

I found that I was right, but the oath had been false.

"Well, doctor," I said, "here is a little order to the lieutenant of the provost guard to have a squad of sentries around that square down in Frenchtown in which these yellow fever patients are. Doctor MacCormick, you will post them. Let nobody go in or out

except you accompany them or they bring my written order. Take your acclimated men and have those sick men attended to carefully. Burn everything that they see, almost, for we must prevent the fever from spreading if we can. Orderly, take these orders to the quartermaster and have him see to it that bright




TOPOGRAPHICAL MAP.

Survey between Lake Ponchartrain and Mississippi River.

fires at the four corners of the square are kept burning day and night, supplied with tar barrels and pitch, so as always to keep an upward current of air."

My orders, I have no doubt, were obeyed, and the fires were kept burning. At the end of six days the men died. The next day everything in and about the building which could possibly have any-

thing to do with yellow fever germs, was at night put on one of the fires. The fuel was piled about it until a very large fire was built. Then the whole heap was allowed to burn to ashes. Those were the only cases of yellow fever in New Orleans that year.

I was obliged to cremate the bodies of the dead for the safety of the living, as they would have been buried above ground. Nobody is buried underground in New Orleans, but the places of interment are little brick receptacles which are not always particularly tight.

Now I do not pretend that in all that was done by my order in New Orleans, exactly proper surgical and medical courses were taken. I do not mean to say that I used anywhere nearly correct and proper surgical and medical practice in my treatment of the disease. And I do not attempt to defend it either, as the best way of dealing with the yellow fever. Far be that from me. I only did what was the best thing I could find to do when I was obliged to do something.

But I will say that in 1864, two years afterwards, I applied exactly the same method in the city of Norfolk, Virginia, a port which the yellow fever never before shunned when it came to the Atlantic coast. In 1857, if I get the date right, there was more than a decimation of its unacclimated inhabitants by the yellow fever, and a great many thousand dollars were subscribed that year by the good people of the North to aid the distressed place. It had not improved any in cleanliness in 1864, for it had been in military possession for four years by the troops of both sides, — and I am afraid both equally nasty, — until it was the filthiest place I ever saw where there were human habitations of a civilized order.

In 1864 there were two hundred and fifty odd deserters, thieves, and vagabonds condemned by the military court to hard labor for a great many months at Fort Norfolk, which was down the river some distance from the city of Norfolk. On visiting them I found they had nothing on earth to do but to gamble all night and sleep all day, and they made hard labor of that. I set them to work in the streets of Norfolk, in the Massachusetts House of Correction uniform with scarlet cap, so that they could not desert, and gave orders that they should be required to clean the city after the manner of New Orleans, and that they should thus work off ten days in every thirty of their sentences.

I went over twice on purpose to see them after they got to work, and a better gang of workmen I never saw, and as far as they had gone, a cleaner performance was never seen.

I observed only one thing that needed correction. The sidewalk was lined with a committee of citizens who amused themselves by chaffing the laborers. I went home and the next day the commander of the gang had an order that if any man loitered on the streets, talking or interfering with the laborers at work, he should be put into their uniform and set at work among them. That was done and the sidewalk committee adjourned.

The result of it was that the experiment was more successful than in New Orleans. There I kept the yellow fever down at the passes, where whole ship's crews were dying, and where there were very many cases. But they were never allowed to get up beyond the quarantine. At Norfolk, however, military necessity required me to run two steamers a week backward and forward between Norfolk and the fever-stricken town of Newbern, North Carolina, a small country town on the Neuse River. Newbern is in a region surrounded by resinous pines, and I had always supposed that a more healthy place could not be found in North Carolina. It had never occurred to me that they could have yellow fever down there, although I knew that they had a great deal of congestive fever because of the lowlands in the bottom of which was the river. Indeed, my attention had not been drawn to that question at all, for Newbern was an inland town in a pine region. But to my horror and astonishment in the latter part of July yellow fever struck Newbern, and as my recollection is now, — and it will be of little consequence whether I am right or wrong, — one half of the people, white and black, died or were afflicted with this fell disease. The troops had to be called away from there and we lost many soldiers with the scourge.

I gave orders to have extra care taken that nobody should come up on the boats through Dismal Swamp canal from Newbern until proper means of fumigation and cleansing had been taken, and I was fortunate enough to have no case at Norfolk. I was extremely solicitous to know what was the condition of things which caused the yellow fever in Newbern, and after the frosts came I went down there. When I got within two miles of the place I met an awful

stench, as of the unclean and uncovered filth of camps. I rode around the town, a circle of three miles and better, and I found the whole town encircled with the remains and débris of the camps of the regiments that had been located around it. Newbern had been held for nearly three years by the Union and rebel troops alternately, commanded by officers who had been taught nothing of sanitary science.

This science is not taught at West Point. The want of its proper application to the troops in the field kills more men than are killed by bullets, for it takes nearly a man's weight in lead to be shot away at him before he is killed.

I found that the ditches had never been filled up, but when they got unbearable the colonel would move his camp. This smell of human excrement, itself in decay, pervaded all Newbern, in full conjunction with the exhalations of the decaying vegetable matter. I instantly ordered a force detailed to remove these nuisances and I have never heard, although I have made inquiry, that there has been a case of yellow fever there since, nor could I, upon inquiry, learn that there had ever been one before that summer.

I have been thus particular in describing all these matters of my experience with the yellow fever because I have no knowledge or memory that it has ever been treated of before so extensively in any military work. Having engaged with it myself, — scientifically or not, yet effectually, — I have gone into all these details in the hope that military men and physicians will examine the question. Perhaps if they find that yellow fever can be controlled, someone may get an appointment to West Point as an instructor in a new branch of military science, which instruction may save a great many lives.

In aid of this I will give another instance of the breaking out of yellow fever, although I cannot speak of it from personal observation in this case, for I was not present.

Sometime in 1876 — I may be wrong as to the date, but I will not be as to the facts — I heard that on the Bayou Teche, which is a little gut extending from the Gulf up into Louisiana, of course entirely filled in the summer with decaying vegetable matter and thus a very unhealthy place as far as congestive fevers are concerned, the yellow fever suddenly burst out with greater virulence and destructivenesss than anywhere else. A congressional colleague of

mine in that locality, — his name has escaped me, — wrote me to know what was the cause of yellow fever. I asked him whether there had been any decaying animal matter in that neighborhood, and to write me stating all the circumstances. He wrote back that a train of cars loaded with Texas cattle had been derailed there shortly before the yellow fever appeared; a very considerable number of the cattle had been killed and maimed, and they were skinned and their bodies thrown into the bayou, where they lay rotting under the hot sun. I wrote him at once my idea of the causes of the disease. There has never been any trouble with the yellow fever there since that time.

I had very great credit, much more than belonged to me fairly, — for I hope I have stated just how much belonged to me, — for what I did in New Orleans in connection with the yellow fever, but quite as much was done in Norfolk for which I never got any credit at all. But whether I deserved any or not, I did the best I could.

## CHAPTER X.

### THE WOMAN ORDER, MUMFORD'S EXECUTION, ETC.

IT must not be inferred that the several matters of which I treat at so much length followed one another in point of time. They were all going on at once, each pressing upon the other and each interfering with doing the other, and requiring the utmost industrious diligence. Crowding in upon us from the first moment of our occupation came a matter which at first seemed would be an annoyance only, but which speedily grew into an affair of most serious consequence, and one causing much discussion. This discussion was generally in the shape of animadversion, for the critics had not the slightest idea of the merits of the question at issue.

From the second day after we landed, we had the men of New Orleans so completely under our control that our officers and soldiers could go anywhere in the city without being interfered with. I may say here, and challenge contradiction, in behalf of my gallant comrades, that from the time we landed until the time I left New Orleans, no officer or soldier did any act to interfere with life, limb, or property of any person in New Orleans, unless acting under perfectly explicit orders so to do.

One result of our conduct was that any of us, from the highest to the lowest, went where he pleased without insult or hostile act by any man in New Orleans. Insomuch was this true that for myself, I walked or rode by day or by night through the streets of New Orleans anywhere I chose between Chalmette and Carrollton without any attendant or guard, or pretence of one, save a single orderly in attendance.

But not so with the women of New Orleans. On the evening of the third day after our occupation of the city, the colonel of the Thirty-First Massachusetts Regiment called upon me and said: —

"General, as I was walking down Canal Street, a young lad, of say ten years, in the presence of his mother, who is the wife of one of the first lawyers, rushed from her side and spit all over my uniform. What am I to do?"

"Nothing, Colonel; I think the matter will be easily remedied. Orderly, give my compliments to Mr. P. and tell him that I would like to see him."

Mr. P. called on me. I had known him as a fellow-practitioner in the Supreme Court of the United States. I had never heard that he was in any way a violent secessionist, but I had heard that his wife was exceedingly interested on the side of the rebels, and had been ordered out of Washington by the Secretary of War for some treasonable acts. I said to him: —

"I want to say to you that one of my officers has complained to me that, this afternoon your son, a boy old enough to know better, came from his mother's side and spit over this officer's uniform as he was passing by. Of course that cannot be permitted; but, as it was the act of a boy and perhaps of a boy not realizing what he was doing, I have sent for you to say that I shall leave the correction of that act to you."

Pretty soon, complaints of treatment from women of all states and conditions and degrees in life came pouring in upon me. When a soldier or an officer was passing along quietly on the sidewalk (these acts seemed rather the more venomous towards the officers) a woman coming the opposite way would turn out in the carriage way, take great pains to hold her skirts aside as if she feared they might be contaminated if they touched the soldier, and accompany this act with every possible gesture of contempt and abhorrence. On one occasion, a woman, when about to pass two officers on the sidewalk, flung herself off the sidewalk just before she got to them, and so impetuously that she threw herself down in the gutter. The two officers immediately proceeded to do what was their duty, — to help her up. She refused their assistance, and said that she would rather lie there in the gutter than be helped up by Yankees. She lived to repent of it afterwards, and to tell the story in the presence of many Yankees. Again, an officer would get into a street car where there were two or three women perhaps in the other end of the car, and they would immediately jump from the car with every sign of disgust, abhorrence, and aversion.

There were five or six women leaning over a balcony on one occasion when I was riding along quite near it, with one officer only between me and the balcony. I was face to the front, and of course people turned out to see me more or less as I went through the streets. Just as we were passing the balcony, with something between a shriek and a sneer, the women all whirled around back to with a flirt which threw out their skirts in a regular circle like the pirouette of a dancer. I turned around to my aid, saying in full



WOMEN OF NEW ORLEANS INSULTING FEDERAL OFFICERS.

voice: "Those women evidently know which end of them looks the best." That closed that exhibition.

The question pressed upon me: How is this course of conduct to be changed? How is this to be stopped? We have a very few troops in the midst of a hostile population of many thousands, including more than twice our number of paroled Confederate soldiers. Many of these women who do this are young, and many are

pretty and interesting, and some have a lady-like appearance. Now, I know that a police officer in Boston can hardly arrest a drunken woman in the street without causing a very considerable excitement and commotion, which very quickly expands into something like a riot if she appeals for help and has a prepossessing appearance. Some of these women desire to exhibit what they call their patriotism, and there are many of them who would be very happy to be arrested for any insult put upon a Yankee officer or soldier and have it so published. Much more will be the danger of riot if Yankee soldiers arrest the women of New Orleans on the streets for the acts which these women think proper to do as their part in carrying on the war. An order for arrests in these cases — simple arrests and transportation of "these ladies" — would be a source of perpetual turmoil at least, and possibly ripen into insurrection.

I waited sometime in the hope that this epidemic among the women would die out. But it did not; it increased. At last, on one Saturday, Flag-Officer Farragut had been invited ashore by Colonel Deming, who was in command of the troops in the city, to take dinner with him and his friends, in compliment of Farragut's great achievements. Colonel Deming went to the levee to meet the flag-officer when he landed, and they walked up arm in arm in full uniform. While going along one of the principal streets, there fell upon them what at first they took to be a sudden and heavy shower; but it proved to be the emptying of a vessel of water upon them from the balcony above, and not very clean water at that. Of course the vessel was proof that this was done by one of "the ladies of New Orleans."

A city could hardly be said to be under good government where such things were permitted or attempted by any class of its inhabitants.

On the next day, the Sabbath, one of my officers dressed himself in full uniform, took his prayer-book in his hand, and was on the way to the church to attend divine service. As he was walking quietly along he met two very well dressed and respectable looking women, and, as a gentleman should, he withdrew to the outer side of the sidewalk to let them pass by. As he did so, one deliberately stepped across in front of the other and spit in his face.

Now, what could he do? Anything but take his kerchief and clean his face? I never heard but one other suggestion, and this was made by one of his fellow staff, who said: "Why didn't you do something?"

"What could I do, Davis, to two women?" "Well," said Davis, "you ought to have taken your revolver and shot the first *he* rebel you met."

But, to be serious, the colonel said to me: "General, I can't stand this. This isn't the first time this thing has been attempted towards me, but this is the first time it has been accomplished. I want to go home. I came here to fight enemies of the country, not to be insulted and disgusted."

"Oh," I said, "you can't resign. I'll put a stop to this."

"I don't think you can do it, General," was the reply.

I took it into very serious consideration. After careful thought and deliberation as to the best method of meeting this unique but dangerous entanglement, and running over in my mind a form for the order, I remembered that for the purpose of revision of city ordinances, I had once read an old English ordinance, which I thought, with a few changes, *mutatis mutandis*, might accomplish the purpose. There was one thing certain about it; it must be an order that would execute itself, otherwise it would stir up more strife in its execution by the police than it would quell. Therefore, after full consideration, I handed to my chief of staff, to be put upon the order books, the following order: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, May 15, 1862.

General Order No. 28.

As the officers and soldiers of the United States have been subject to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous non-interference and courtesy on our part, it is ordered that hereafter when any female shall, by word, gesture, or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation.

By command of

MAJOR-GENERAL BUTLER.

GEO. C. STRONG, *A. A. G., Chief of Staff.*

Strong said, after he read it: "This order may be misunderstood, General. It would be a great scandal if only one man should act upon it in the wrong way."

"Let us, then," was the reply, "have one case of aggression on our side. I shall know how to deal with that case, so that it will

never be repeated. So far, all the aggression has been against us. Here we are, conquerors in a conquered city; we have respected every right, tried every means of conciliation, complied with every reasonable desire; and yet we cannot walk the streets without being outraged and spit upon by green girls. I do not fear the troops, but if aggression must be, let it not be all against *us*."

My troops were New England soldiers, and consequently men well bred in every courtesy toward women, for a well behaved woman can safely travel alone all through New England. I did not fear that any one of them would conduct himself in such a way that he could not look me in the face and tell me of it if I asked him. I was not afraid on that score. I was only afraid the order would not be understood by the women.

There was no case of aggression after that order was issued, no case of insult by word or look against our officers or soldiers while in New Orleans.

The order executed itself.

No arrests were ever made under it or because of it. All the ladies in New Orleans forebore to insult our troops because they didn't want to be deemed common women, and all the common women forebore to insult our troops because they wanted to be deemed ladies, and of those two classes were all the women secessionists of the city.

The order was, as it was intended to be, self-executing. And now, after all these years, I challenge the production of any authentic evidence that the order was not a message of good to the good, and of fear to the bad who required it. I do not believe any man of ordinary sense, of clear judgment, ever did misunderstand it or misinterpret how the order intended that such women should be dealt with, or that it was the slightest suggestion that she be dealt with in any other way than being put in the hands of the police.[1]

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[1] Brig.-Gen. M. Jeff. Thompson, M. S. G., in answer to a letter from me about his kind treatment of a prisoner, gives this testimony: —

DEPOT OF PRISONERS OF WAR,
JOHNSON'S ISLAND, NEAR SANDUSKY, O., Oct. 12, 1863.

*General.* — Your kind letter of the 6th instant was received on the 10th.

You say that no one more surely than myself knows that the acts for which my government blames you were untruly reported and unjustly construed. What your intentions were when you issued the order which brought so much censure upon yourself I, of course, cannot tell; but I can testify, and do with pleasure, that nearly all of the many persons who passed through my lines, to and from New Orleans, during the months of August and September, 1862, spoke favorably of the treatment they had received from you; and with all my inquiries, which were constant, I did not hear of one single instance of a lady being insulted by your command.

I am, most respectfully, your obedient servant,

M. JEFF. THOMPSON,
*Brigadier-General, M. S. G.*

It was read by Beauregard to his army at Corinth, to inflame the Southern heart; but the only effect that it had upon him and them, so far as I have any evidence, was that almost immediately afterwards, on June 10 and 15, his entire army dissolved.[1] It was *post hoc* if not *propter hoc*. He was taken sick, resigned his command, and went to Bladon Springs to recover.

Palmerston, however, got up in Parliament and denounced the order as unfit to be written in the English language. The only possible objectionable phrase in it was part of an ordinance of the city of London, from which I adapted it. Palmerston's indignation even went so far, and the women-beaters and wife-whippers of England were so shocked, that they called upon their government to represent their condemnation of the order to our State Department. When their minister here brought it to the attention of our Secretary of State, Mr. Seward answered him in that easy and perfect manner with which he could turn away an application without leaving an opportunity for the interlocutor to gather offence. I quote from Seward's "Life," p. 139: —

> Mr. Stewart, in a very courteous manner, verbally expressed to me the opinion of Her Majesty's Government, that General Butler's order concerning the females of New Orleans who gave offence to the Union soldiers was an improper one, in respect to the expressions employed in it.
>
> I answered him that we must ask his government, in reading that proclamation, to adopt a rule of construction which the British nation had elevated to the dignity of a principle and made the motto of their national arms — *Honi soit qui mal y pense.* [Evil to him who evil thinks.]

I perhaps might have said the same thing as Mr. Seward, but the difference between him and me would have been that I should probably have added, — "especially when a king was establishing the 'Order of the Garter' as an emblem of good conduct."

Palmerston said my government would revoke the order when it heard it. It did not hear of anything else for many weeks, but the order was never revoked, but, on the contrary, the government gave my administration its highest sanction. The President did not confer on me, however, the "Order of the Garter."

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[1] War Correspondence, Series I., Vol. XV., p. 501.

On account of that order a reward of ten thousand dollars was offered for my head; and a gentle, soft-hearted little Southern lady published that she wanted to subscribe her mite to make the reward sixty thousand dollars, so that my head would be sure to be taken.

My critic, in writing "Lincoln, a History," deems that the order was well enough itself, "but indefensible as a matter of taste." Indeed, I had hoped that I had distinguished myself in one thing, if no more, and that is that I did not carry on war with rose-water, — a pleasant thing to do, but I did not do it. That is enough to say, as he and myself differ upon another question of taste, to which I have already adverted. These women, she-adders, more venomous than he-adders, were the insulting enemies of my army and my country, and were so treated.

I have given too much space to the necessary contact I had with bad women and their adventures. But I take a little space to show that I was capable, although denominated a beast and outlaw, of dealing with the good, charitable, and religious women in a manner worthy of myself and my government. The following letter will explain itself: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, Sept. 2, 1862.

*Madame:* — I had no information until the reception of your note, that so sad a result to the sisters of your society had happened from the bombardment of Donaldsonville.

I am very, very sorry that Rear-Admiral Farragut was unaware that he was injuring your establishment by his shells. Any injury must have been entirely accidental. The destruction of that town became a necessity. The inhabitants harbored a gang of cowardly guerillas, who committed every atrocity; amongst others, that of firing upon an unarmed boat crowded with women and children, going up the coast, returning to their homes, many of them having been at school at New Orleans.

It is impossible to allow such acts; and I am only sorry that the righteous punishment meted out to them in this instance, as indeed in all others, fell quite as heavily upon the innocent and unoffending as upon the guilty.

No one can appreciate more fully than myself the holy, self-sacrificing labors of the sisters of charity. To them our soldiers are daily indebted for the kindest offices. Sisters of all mankind, they know no nation, no

kindred, neither war nor peace. Their all-pervading charity is like the boundless love of "Him who died for all," whose servants they are, and whose pure teachings their love illustrates.

I repeat the expression of my grief, that any harm should have befallen your society of sisters; and I cheerfully repair it, as far as I may, in the manner you suggest, by filling the order you have sent to the city for provisions and medicines.

Your sisters in the city will also farther testify to you, that my officers and soldiers have never failed to do to them all in their power to aid them in their usefulness, and to lighten the burden of their labors.

With sentiments of the highest respect, believe me, your friend,

BENJAMIN F. BUTLER.

SANTA MARIA CLARA,

*Superior and Sister of Charity.*

I had learned to reverence these good and devoted women, and after the war, when I had served with them in the field and learned more of their good offices to the soldier, I came to know fully their value and their devotion to their Christian duty, of which I take leave now to speak as I have heretofore spoken in another place: —

They were found in every hospital doing battle against disease and misery, in obedience to the commands of their Master, who said: "As ye do unto the least of these, so also ye do unto me." Delicately nurtured holy women, they passed unharmed through every camp, scattering blessings in their path, looking for their reward in doing His work and adding to His glory. Oh, it was wonderful to see strong men become as little children in their hands, and put off the rough manners, and throw aside the rougher and harsher language of the camp, when these women came near! They brought to the bedside of the wounded and dying soldier at once the thought of home, the ministrations of religion, and such consolation as would seem only could come from the hand of the great Saviour of mankind.

Many a mother, many a sister, many a wife, owe to their assiduous care a son, a brother, a husband, restored to them alive, who would otherwise have filled one of the unknown graves that dot the hills of Virginia, the plains of Georgia and Tennessee, and the swamps of Louisiana and Mississippi. These brave soldiers of the cross knew no creed, recognized no nationality. Their services were given, like those of their Master, to the human-kind. Was the sufferer before them a private soldier or a commanding general, to them there was no difference. Confederate or Federal, he was their brother.

Let us turn from this to another case where I felt obliged to reverence the motives and to yield to the entreaties of a lady of New Orleans, Mrs. Cora Slocomb.

A word of the history of this lady may not be impertinent. She was the widow of a very wealthy iron merchant before the war. The course of trade brought him indebted in a very considerable amount to a Northern firm of iron manufacturers. One of the first acts of the Confederate Congress was to confiscate all debts due Northern people and to order them to be paid into the Confederate treasury for the purpose of carrying on the war.

Mrs. Slocomb was a leader in the best society of New Orleans. She had undertaken to close out the business of her deceased husband. She was a very full and fervent believer in the right and justice of secession. She equipped from her private purse the crack artillery company of New Orleans, the Washington Artillery, and sent it to the war, one of her sons being an officer, and a son-in-law, Captain Urquhart, also holding a commission in that organization. She had subscribed very liberally in aid of the rebellion, and she was upon my information very much looked up to by those engaged in carrying it on.

Before the city was taken, a summons was served upon Mrs. Slocomb by a rebel court to show cause why she should not pay into the treasury of the Confederacy the amount of the debt due the Northern creditors of her deceased husband. She answered the summons in person, and declared that her husband's estate owed that debt to the Northern firm who had credited him with it, and that she must pay it where it belonged and could not pay it in any other manner. The Confederate authorities brought upon her some pretty harsh pressure to change her determination. She said: "You may do with me what you please, but I will not disobey the dictates of justice and conscience." And she did not. On the contrary, she bought a quantity of cotton, which, if sold at the price paid for it, would more than have cancelled the debt and freight, and put it on board the schooner John Gilpin, and tried to send it North consigned to the creditors of her husband's estate. The Gilpin, however, was stayed by the Confederate authorities until after we took possession of New Orleans. Mrs. Slocomb and her daughter called upon me for a safe conduct to

allow them to go to their country house in North Carolina, stating that they could not take the oath of allegiance to the United States; that at first they had desired the preservation of the Union; that all their male friends and connections were in the Confederate army, and one of them had lost a son and the other a brother in that service; and that they were now unalterably devoted to the cause which they deemed just.

I said to them that if they would consent that their house should go into the service of the United States, and be occupied as my personal headquarters, that would furnish a reason for an exception in their case.

Mrs. Slocomb, her eyes flowing with tears, said that her house was endeared to her by a thousand tender associations and was now dearer to her than ever; she did not see how she could give it up. I said I should be glad to do anything which would be a favor to ladies who, while they were enemies of their country, were so frank, so truthful, and so devoted, but I desired to find a ground for an exception to my rule, and therefore suggested the matter of the house; and although I had power to take it without their permission, it should not be occupied unless the city was ravaged with yellow fever, in which case I might be obliged to take every house suitable for hospital purposes; but if I could find any other reason for an exception to my prohibiting passes to any who refused to take the oath I would do it. A day or two after, I wrote to the ladies: —

I have the pleasure to inform you, that my necessities, which caused the request for permission to use your house during your absence this summer, have been relieved. I have taken the house of General Twiggs, late of the United States army, for quarters. Inclined never on slight causes to use the power intrusted to me to grieve even sentiments only entitled to respect from the courage and ladylike propriety of manner in which they were avowed, it is gratifying to be enabled to yield to the appeal you made for favor and protection by the United States. Yours shall be the solitary exception to the general rule adopted, that they who ask protection must take upon themselves corresponding obligations or do an equal favor to the government. I have an aged mother at home, who, like you, might request the inviolability of hearthstone and roof-tree from the presence of a stranger. For her sake you shall have the pass you ask, which is sent herewith. As I did myself the honor to say person-

ally, you may leave the city with no fear that your house will be interfered with by any exercise of military right; but will be safe under the laws of the United States. Trusting that the inexorable logic of events will convict you of wrong toward your country, when all else has failed, I remain, etc.

Mrs. Slocomb acknowledged the favor: —

Permit me to return my sincere thanks for the special permit to leave, which you have so kindly granted to myself and family, as also for the protection promised to my property. Knowing that we have no claim for any exception in our favor, this generous act calls loudly upon our grateful hearts; and hereafter, while praying earnestly for the cause we love so much, we shall never forget the liberality with which our request has been granted by one whose power here reminds us painfully that our enemies are more magnanimous than our citizens are brave.

Very respectfully, your obedient servant,

CORA SLOCOMB.

I may without offence give other transactions: Soon after landing in the city I proposed to furnish my officers with the houses of the officers of the Confederate service, for their use as quarters, and I ordered therefore the seizure of those houses. A staff officer reported to me that he had seized the residence of General Beauregard, finding his wife and I think a sister alone occupying it. I was not acquainted with the general or his family, but I directed the house to be released, and to prevent intrusion upon the family, I put a sentinel at the door for a short time until matters got settled.

It also happened that when I issued an order to confiscate all the money of the Confederate officers and of the Confederacy in the New Orleans banks, among the returns was the sum of five hundred dollars in the Louisiana Bank left by General Beauregard as a deposit for the use of his family. This I allowed to remain at their disposal. That is, I tried to do, not as I was done by, but as I would be.

Order No. 55, levying assessments upon the subscribers to the "city defence fund," was to relieve the poor of the city. I found it necessary as a part of that relief to subscribe in support of the hospitals. In the case of the St. Elizabeth Hospital I subscribed five

thousand dollars in money and provisions, and I subscribed from my own private funds five hundred dollars and the same amount in provisions.

I gave an order that the Charity Hospital, which was an institution carried on by a board of trustees, should have five thousand dollars a month for its support besides issuing an order forbidding the trustees to resign their trust and abandon it.

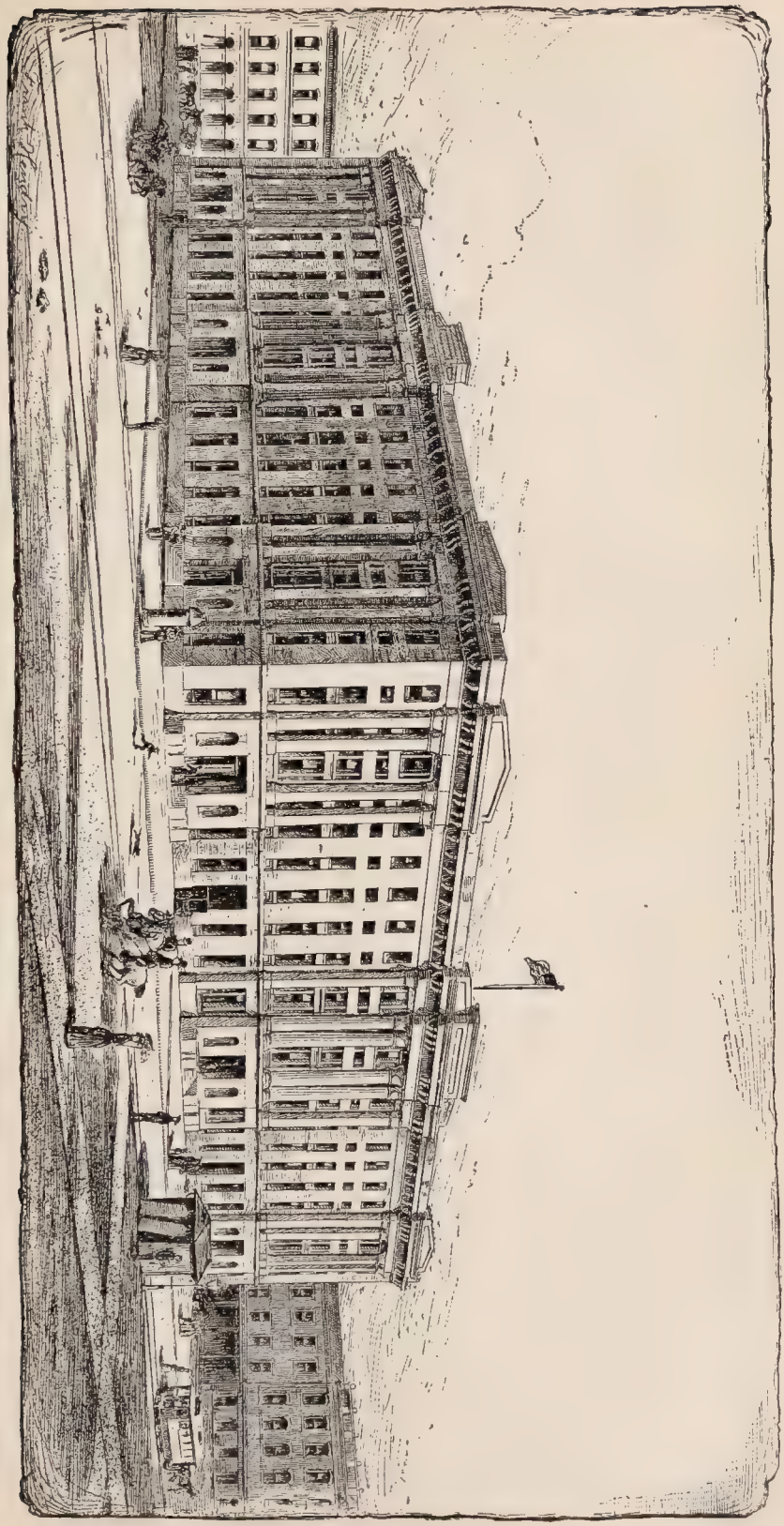
I was feeding the poor whites of New Orleans at a cost of fifty thousand dollars a month, and the negroes at a cost which I never knew, because they received their provisions from the supplies of the soldiers.

It was impossible for me to get a request to my government and an answer back in less than thirty days, and usually a much longer time was required, so that I had no control attempted over me, except in the matter of my treatment of "foreign rebels." By these I mean men who had come here and enjoyed all our privileges and asked the protection of our government, and owed to it local allegiance,— that is, to do nothing against it while within its borders,— and yet while attacking it in every way were always claiming they should be let alone because they were neutral.

Mr. Seward, the Secretary of State, was in distress whenever I did anything that caused a little whipper-snapper emissary from some government in Europe to complain of my just treatment of a man who claimed to be a consul, and this caused perpetual interference and annoyance. Otherwise I was supreme. Having supreme power, I used it in the manner I have set forth.

The poor had to be fed, the streets had to be cleaned, the protection from yellow fever had to be made sure, and able-bodied, idle men had to have employment to keep them from mischief and maintain their families. There was power enough to do all this, but in what manner could it be paid?

To do these things required much money. True, the troops might be ordered to do the labor, and the money furnished by the United States for other necessary purposes might be diverted to that use. There was no appropriation upon which a requisition could be properly answered by the government at Washington from which to take it out of the taxes of the North. But nothing was further from my thoughts than either of these expedients. An attempt had been



CUSTOM-HOUSE, NEW ORLEANS, BEFORE WAR.

From a Sketch.

made by me to call upon the city at least to clean the streets and pay therefor from the taxes, but that resource had been futile because the taxes could not be collected. And besides, when my order was published in that regard saying that the laborers should be paid a dollar a day, the city council, then in session,— but very soon after put out because of an invitation by it for the French fleet to come to New Orleans, -- passed a resolution declaring that "when the city had had control of its affairs it paid one dollar and a half a day to its laborers; but since the United States had taken charge of the city, it proposed to pay only a dollar a day." To which I answered that in administering the affairs of the city, to be paid for by its tax, I thought I ought to be economical; but as that was to be paid for by taxation of the city, and the city government wanted to pay fifty cents more, I would raise the price to one dollar and fifty cents, although plenty of good labor had been employed at a dollar a day. I believe that was my last communication made to the city government with the expectation that they would do anything.

I had the documents to show me that not long before we came, there had been a "city defence fund" committee organized to receive subscriptions and issue bonds to the amount of a million dollars to the subscribers to that fund, which bonds were to bear quite a rate of interest. These subscriptions had been paid.

A large portion of them were those of rich foreign-born men, some of whom had taken the oath of allegiance to the United States, but almost all of whom had taken the oath of allegiance to the Confederacy. And there was another class of citizens, cotton planters, who had issued a paper advising that no cotton should be brought to the city as a matter of merchandise.

I assumed that I should need for my expenditure a sum between $500,000 and $700,000, and I ordered that an assessment equal to one half of the subscriptions to the "fund," and a sum equal to one hundred dollars for each of the offenders of the other class should be paid to my financial agent forthwith, with which to pay for this work that had been and was being done. I held that these men had made the expenditure necessary and therefore these men should pay for it. That order, it is needless to say, was enforced, and it is also needless to say, was the cause of protests of the foreign consuls in

behalf of "neutral" forsworn rebels. I do not know now that I can put the whole matter of this highly beneficial order, its cause, execution, and results, in better form than that in which I explained it to the Secretary of War officially in answer to those protests, on the application of the Secretary of State: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, October, 1862.

HON. E. M. STANTON, *Secretary of War:*

*Sir:* — I have the honor to report the facts and circumstances of my General Order No. 55, in answer to the complaints of the Prussian and French legations, as to the enforcement of that order upon certain inhabitants of New Orleans, claimed to be the subjects of these respective governments.

Before discussing the specialty and personal relations of the several complaints, it will be necessary, in a general way, to give an account of the state of things which I found had existed, and was then existing at New Orleans upon its capture by the federal troops, to show the status of the several classes upon which General Order No. 55 takes effect.

In October, 1861, about the time Mason and Slidell left the city upon their mission to Europe, to obtain the intervention of foreign powers, great hopes were entertained by the rebels, that the European governments would be induced to interfere from want of a supply of cotton. This supply was being had, to a degree, through the agency of the small vessels shooting out by the numerous bayous, lagoons, and creeks, with which the southern part of Louisiana is penetrated. They eluded the blockade, and conveyed very considerable amounts of cotton to Havana and other foreign ports, where arms and munitions of war were largely imported through the same channels in exchange. Indeed, as I have before had the honor to inform the Department of State, it was made a condition of the very passes given by Governor Moore, that a quantity of arms and powder should be returned in proportion to the cotton shipped.

The very high price of the outward as well as the inward cargoes, made these ventures profitable, although but one in three got through with safety.

Nor does the fact that so considerable quantities of cotton escaped the blockading force at all impugn the efficiency of the blockading squadron, when it is taken into consideration, that without using either of the principal water communications with the city through the "Rigolets" or the "passes" at the Delta of the river, there are at least fifty-three dis-

tinct outlets to the Gulf from New Orleans by water communication, by light-draught vessels. Of course, not a pound of the cotton that went through these channels found its way north, unless it was purchased at a foreign port. To prevent even this supply of the European manufactures became an object of the greatest interest to the rebels, and prior to October, 1861, all the principal cotton factors of New Orleans, to the number of about a hundred, united in an address, signed with their names, to the planters, advising them not to send their cotton to New Orleans, for the avowed reason that if it was sent, the cotton would find its way to foreign ports, and furnish the interest "of Europe and the United States with the product of which they are most in need, . . . and thus contribute to the maintenance to that quasi neutrality, which European nations have thought proper to avow."

"This address proving ineffectual to maintain the policy we had determined upon, and which not only received the sanction of public opinion here, but which has been so promptly and cheerfully followed by the planters and factors of the other States of the Confederacy," the same cotton factors made a petition to Governor Moore and General Twiggs to "devise means to prevent any shipment of cotton to New Orleans whatever."

For answer to this petition, Governor Moore issued a proclamation forbidding the bringing of cotton within the limits of the city, under the penalties therein prescribed.

This action was concurred in by General Twiggs, then in command of the Confederate forces, and enforced by newspaper articles, published in the leading journals.

This was one of the series of offensive measures which were undertaken by the mercantile community of New Orleans, of which a large portion were foreigners, and of which the complaint of Order No. 55 formed a part, in aid of the rebellion.

The only cotton allowed to be shipped during the autumn and winter of 1861 and '62, was by permits of Governor Moore, granted upon the express condition, that at least one-half in value should be returned in arms and munitions of war. In this traffic, almost the entire mercantile houses of New Orleans were engaged. Joint-stock companies were formed, shares issued, vessels bought, cargoes shipped, arms returned, immense profits realized; and the speculation and trading energy of the whole community was turned in this direction. It will be borne in mind that quite two thirds of the trading community were foreign born, and now claim exemption from all duties as citizens, and exemption from liabilities for all their acts, because of being foreign "neutrals."

When the expedition which I had the high honor to be intrusted to command, landed at Ship Island, and seemed to threaten New Orleans, the most energetic efforts were made by the State and Confederate authorities for the defence of the city. Nearly the entire foreign population of the city enrolled itself in companies, battalions, and brigades, representing different nationalities.

They were armed, uniformed, and equipped, drilled and manœuvred, and reported for service to the Confederate generals. Many of the foreign officers took the oath of allegiance to the Confederate States. The brigadier-general in command of the European Brigade, Paul Juge, Fils, a naturalized citizen of the United States, but born in France, renounced his citizenship, and applied to the French government to be restored to his former citizenship as a native of France, at the very time he held the command of this foreign legion.

The Prussian consul, now General Reichard, of the Confederate army, of whom we shall have more to say in the course of this report, raised a battalion of his countrymen, and went to Virginia, where he has been promoted for his gallantry, in the rebel service, leaving his commercial partner, Mr. Kruttschnidt, now acting Prussian consul, who has married the sister of the rebel secretary of war, to embarrass as much as possible the United States officers here, by subscriptions to "city defence fund," and groundless complaints to the Prussian minister.

I have thus endeavored to give a faithful and exact account of the state of the foreign population of New Orleans, on the 15th day of February, 1862.

In October, 1861, the city had voted to erect a battery out of this "defence fund." On the 19th of February, 1862, the city council, by vote published and commented upon in the newspapers, placed in the hands of the Confederate General Lovell, fifty thousand dollars, to be expended by him in the defences of the city.

It will, therefore, clearly appear that all the inhabitants of the city knew that the city council was raising and expending large sums for war purposes.

On the 20th of the same February, the city council raised an extraordinary "Committee of Public Safety," from the body of the inhabitants at large, consisting of sixty members, for the "purpose of co-operating with the Confederate and State authorities in devising means for the defence of the city and its approaches."

On the 27th of the same February, the city council adopted a series of resolutions: —

1st. Recommending the issue of one million dollars of city bonds, for the purpose of purchasing arms and munitions of war, and to provide for the successful defence of the city and its approaches.

2d. To appropriate twenty-five thousand dollars for the purpose of uniforming and equipping soldiers mustered into the service of the country.

3d. Pledging the council to support the families of all soldiers who shall volunteer for the war.

On the 3d of March, 1862, the city council authorized the mayor to issue the bonds of the city for a million dollars; and provided that the chairman of the finance committee might "pay over the said bonds to the Committee of Public Safety, appointed by the common council of the city of New Orleans, as per resolution No. 8,930, approved 20th of February, 1862, in such sums as they may require for the purchase of arms and munitions of war, provisions, or to provide any means for the successful defence of the city and its approaches."

And, at the same time, authorized the chairman of the finance committee "to pay over $25,000 to troops mustered into the State service, who should go to the fight at Columbus or elsewhere, under General Beauregard."

It was to this fund, in the hands of this extraordinary committee, so published with its objects and purposes, that the complainants subscribed their money, and now claim exemption upon the ground of neutrality, and want of knowledge of the purposes of the fund.

It will be remembered that all the steps of the raising of the committee to dispose of this fund were published, and were matters of great public notoriety. The fact that the bonds were in the hands of such an extraordinary committee, should have put every prudent person on his guard.

All the leading secessionists of the city were subscribers to the same fund.

Will it be pretended for a moment that these persons — bankers, merchants, brokers, who are making this complaint,— did not know what this fund was, and its purposes, to which they were subscribing by thousands of dollars?

Did Mr. Rochereau, for instance, who had taken an oath to support the Confederate States, a banker, and then a colonel commanding a body of troops in the service of the Confederates, never hear for what purpose the city was raising a million and a quarter in bonds?

Take the Prussian consul, who complains for himself and the Mrs. Vogel whom he represents, as an example. Did he know about this fund? He, a trader, a Jew, famed for a bargain, who had married the sister of the

rebel secretary of war, the partner of General Reichard, late Prussian consul, then in command in the Confederate army, who subscribed for himself, his partner and Mrs. Vogel, the wife of his former partner, thirty thousand dollars — did he not know what he was doing, when he bought these bonds of this "Committee of Public Safety"?

On the contrary, it was done to aid the rebellion to which he was bound by his sympathies, his social relations, his business connections and marriage ties. But it is said that this subscription is made to the fund for the sake of the investment. It will appear, however, by a careful examination, that Mr. Kruttschnidt collected for his principal a note, secured by mortgage, in anticipation of its being due, in order to purchase twenty-five thousand dollars of this loan. Without, however, descending into particulars, is the profitableness of the investment to be permitted to be alleged as a sufficient apology for aiding the rebellion by money and arms? If so, all their army contractors, principally Jews, should be held blameless, for they have made immense fortunes by the war. Indeed, I suppose another Jew — one Judas — thought his investment in the thirty pieces of silver was a profitable one, until the penalty of treachery reached him.

When I took possession of New Orleans, I found the city nearly on the verge of starvation, but thirty days' provision in it, and the poor utterly without the means of procuring what food there was to be had.

I endeavored to aid the city government in the work of feeding the poor; but I soon found that the very distribution of food was a means faithlessly used to encourage the Rebellion. I was obliged, therefore, to take the whole matter into my own hands. It became a subject of alarming importance and gravity. It became necessary to provide from some source the funds to procure the food. They could not be raised by city taxation, in the ordinary form. These taxes were in arrears to more than a million of dollars. Besides, it would be unjust to tax the loyal citizens and honestly neutral foreigners, to provide for a state of things brought about by the rebels and disloyal foreigners related to them by ties of blood, marriage, and social relation, who had conspired and labored together to overthrow the authority of the United States, and establish the very result which was to be met.

Farther, in order to have a contribution effective, it must be upon those who have wealth to answer it.

There seemed to me no such fit subjects for such taxation as the cotton brokers who had brought the distress upon the city, by thus paralyzing commerce, and the subscribers to this loan, who had money to invest for purposes of war, so advertised and known as above described.

With these convictions, I issued General Order No. 55, which will explain itself, and have raised nearly the amount of the tax therein set forth.

But for what purpose? Not a dollar has gone in any way to the use of the United States. I am now employing one thousand poor laborers, as matter of charity, upon the streets and wharves of the city, from this fund. I am distributing food to preserve from starvation nine thousand seven hundred and seven families, containing thirty-two thousand four hundred and fifty souls, daily, and this done at an expense of seventy thousand dollars per month. I am sustaining, at an expense of two thousand dollars per month, five asylums for widows and orphans. I am aiding the Charity Hospital to the extent of five thousand dollars per month.

Before their excellencies, the French and Prussian ministers, complain of my exactions upon foreigners at New Orleans, I desire they would look at the documents, and consider for a few moments the facts and figures set forth in the returns and in this report. They will find that out of ten thousand four hundred and ninety families who have been fed from the fund, with the raising of which they find fault, less than one tenth (one thousand and ten) are Americans; nine thousand four hundred and eighty are foreigners. Of the thirty-two thousand souls, but three thousand are natives. Besides, the charity at the asylums and hospitals is distributed in about the same proportions as to foreign and native born; so that of an expenditure of near eighty thousand dollars per month, to employ and feed the starving poor of New Orleans, seventy-two thousand go to the foreigners, whose compatriots loudly complain and offensively thrust forward their neutrality, whenever they are called upon to aid their suffering countrymen.

I should need no extraordinary taxation to feed the poor of New Orleans, if the bellies of the foreigners were as actively with the rebels, as are the heads of those who claim exemption, thus far, from this taxation, made and used for purposes above set forth, upon the ground of their neutrality; among whom I find Rochereau & Co., the senior partner of which firm took an oath of allegiance to support the constitution of the Confederate States.

I find also the house of Reichard & Co., the senior partner of which, General Reichard, is in the rebel army. I find the junior partner, Mr. Kruttschnidt, the brother-in-law of Benjamin, the rebel secretary of war, using all the funds in his hands to purchase arms, and collecting the securities of his correspondents before they are due, to get funds to loan to the rebel authorities, and now acting Prussian consul here, doing quite as effective service to the rebels as his partner in the field. I find Mme. Vogel, late partner in the same house of Reichard & Co., now absent,

whose funds are managed by that house. I find M. Paesher & Co., bankers, whose clerks and employees formed a part of the French legion, organized to fight the United States, and who contributed largely to arm and equip that corps. And a Mr. Lewis, whose antecedents I have not had time to investigate.

And these are fair specimens of the "neutrality" of the foreigners, for whom the government is called upon to interfere, to prevent their paying anything toward the relief fund for their starving countrymen.

If the representatives of the foreign governments will feed their own starving people, over whom the only protection they extend, so far as I see, is to tax them all, poor and rich, a dollar and a half each for certificates of nationality, I will release the foreigners from all exactions, fines, and imposts whatever.

I have the honor to be your obedient servant,

BENJAMIN F. BUTLER,
*Major-General Commanding.*

The government sustained Order No. 55, and upon that being made known to the commanding general, on December 9, 1862, he issued the following order: —

NEW ORLEANS, December 9, 1862.

Under General Order No. 55, current series, from these headquarters, an assessment was made upon certain parties who had aided the rebellion, "to be appropriated to the relief of the starving poor of New Orleans."

The calls upon the fund raised under that order have been frequent and urgent, and it is now exhausted.

But the poor of this city have the same or increased necessities for relief as then, and their calls must be heard; and it is both fit and proper that the parties responsible for the present state of affairs should have the burden of their support.

Therefore, the parties named in Schedules A and B, of General Order No. 55, as hereunto annexed, are assessed in like sums, and for the same purpose, and will make payment to D. C. G. Field, financial clerk, at his office, at these headquarters, on or before Monday, December 15, 1862.

I was relieved by General Banks six days after. As the time this assessment was to be paid was at the expiration of seven days, and I was relieved before that time, of course nobody paid the assessment according to the order. Within thirty days General Banks found himself under the necessity of renewing the order and

did so. But nobody paid the slightest attention to it and nobody paid anything afterwards on that order, and it stands to-day unrepealed, uncancelled, and unexecuted. But the necessities of the poor remained the same, and if they were relieved it must have been from some other source. But with that I have nothing to do.

It may be remembered that I recognized a man parading in the mob in front of the St. Charles Hotel, wearing in his buttonhole a fragment of the national flag, which had been torn down from the mint, and that I ordered measures to be taken for his identification. Soon afterward he was arrested, but before he could be brought to trial there was another cause for a military commission.

Six soldiers who were captured and paroled at Forts Jackson and St. Philip were confederating together to enlist a company to be known as the "Monroe Guard," Monroe being mayor of the city. This company, when fully organized, was to arm itself in the city and break through our lines and join Beauregard. These men, some of whom had been sergeants, were to be officers. This combination being brought to my notice, proper measures were taken to secure the prevention of its designs. The six instigators of it were brought before a military commission and tried for breach of parole, the punishment of which by military law is death. This was a very flagrant case of such breach, because they took advantage of the liberty obtained by parole to plot war against the United States. On the 31st day of May, in pursuance of the advice of the commission as to what disposition should be made of them, an order was issued for their execution by hanging.

Now, it was known in New Orleans that no capital execution had been had in the State of Louisiana for eighteen years, the sequence of which was that New Orleans had been the scene of the most unprovoked and unjustifiable murders which could well be imagined, with no punishment therefor. One had taken place on the day of my landing there. A German citizen on the levee shouted out: "Hurrah for the old flag.' He was immediately shot, seized and thrown into the river. I made many exertions to find out who did it, but was not able to do so.

I had some misgivings when I gave orders for the punishment of these six men whether they had understood fully how great was their crime. Indeed, one of them said in his defence: "Paroling is

for officers and gentlemen; we are not gentlemen." That they were guilty enough of bad acts toward the government, I did not doubt, but I questioned whether they were guilty of the precise act for which the sentence was invoked, for want of knowledge which caused that guilt.

Immediately the cry went out that I would not dare to hang them. That of course I took no notice of. Their lives were very earnestly and eloquently besought by three good Union men whom I knew. They presented a petition for this purpose, signed by many of the known Union citizens in the place. I gave the matter the most serious attention, for it was the first time that the life of a man had depended on my single order, and I was anxious to escape the responsibility for their death if I might properly do so. Upon their representation and upon the representations made to me that it would be regarded as an act of pacification, shortly before the date fixed for the execution of the order, I respited the prisoners to hard labor for a long term. That was done on the 4th day of June.

Meanwhile Mumford, who had torn down the flag, had been put on trial for that crime. His offence had been a most heinous one, and the dire results that might have arisen from it seemed almost providentially to have been averted.

After the military had fled, the mayor of New Orleans informed Farragut,—I say Farragut, for now it is no honor to him to be given a title,— that as the civil authority of the city he could not surrender the United States mint. Farragut then ordered the United States flag to be placed on the government buildings as a token of the surrender of the city, and had it placed there amidst the insults poured upon his officers and men charged with that duty. The authorities were warned that as long as the flag waved there it would be understood that the city had surrendered. Whenever it should be taken down, that act would be a signal that the city had resumed hostilities and would be followed by the threatened bombardment.

Farragut did not place a guard on the top of the mint for the reason that any altercation or interference with the guard might afford an excuse for somebody to haul down the flag. But he placed howitzers in the main-tops of his ship, the Hartford, with guns' crews to watch the flag. These men were instructed that if any persons

were seen to interfere with it or take it down, to open fire upon them with the howitzers. This would be a signal for the Hartford to open fire upon the city, which would be followed by a fire along the line of the whole fleet, which lay broadside on.

On Sunday morning, Farragut called his officers and crew below in religious service to give thanks to the Almighty for His preservation of them in the great dangers and perils to which they had been exposed. The services were solemnly going on under his direction, when the guns from the main-tops bearing on the flag were discharged. Instantly everybody ran on deck and went to his post. Every gun was manned and the lanyards of the locks of some of them were pulled. But a wonderful happening had taken place. The careful ordnance officer, before he went down, cast his eye upon the heavens and saw portents of rain. He therefore went around the battery, took out of the vents all the wafers by which the guns were fired, and placed them in a receptacle where they would be kept dry. Consequently no gun answered fire when the lanyards were pulled. Seeing that those who had taken the flag down had run away and that there was no movement of anybody, Farragut paused, and so the city was saved from bombardment.

Farragut sent his boat ashore to ascertain why the flag had been taken down and was informed that it was done by some person wholly unauthorized. A party headed by Mumford had torn down the flag, dragged it through the streets and spit on it, and trampled on it until it was torn to pieces. It was then distributed among the rabble, and each one thought it a high honor to get a piece of it and wear it.

It has been said that I had no right to take any notice of this act because it was done before I got there. But it was the flag of the United States, and it had been placed there by Farragut after he took possession of the city. Upon that point I never had any controversy.

Although he had been clearly convicted of this offense against the laws of war and his country, yet it was not believed by the rebels that Mumford would be executed. He was at the head of the gamblers of New Orleans, and was a man of considerable education, some property, and much influence with the lower class. It was said that Butler would never dare hang him, and when the parole

offenders had been respited on the 4th of June, and Special Order No. 10 was issued on the 5th of June commanding that Mumford be executed on the 7th of June between 6 A. M. and 12 M., the order was received by the populace almost with derision.

No good man petitioned for his release, but the bad men, the blacklegs and blackguards, assembled in large numbers and voted that he should not be executed, and that if he was executed Butler should die the death by any and every possible means. They thought some of selecting a committee to so notify me, but upon consideration it was found that it was not a popular committee upon which to serve, and it was not done But it was agreed that I should be notified by anonymous letters, and accordingly they sent me forty or fifty the next morning, in almost every language and every degree of literature, accompanied by illustrations of pistols and coffins and cross-bones and skulls, to intimidate me.

Indeed, their performances frightened one man besides myself. He was my secret service man, who had attended the meeting and made a speech in behalf of my being shot. He was rather unmerciful. He returned from the gathering about ten o'clock at night, and told me what had taken place and said that I was in the utmost danger if I had Mumford executed. I told him that was where we differed; I thought I should be in the utmost danger if I did not have him executed, for the question was now to be determined whether I commanded that city or whether the mob commanded it.

"Why, General," said he, "I know how much more virulent and determined they are than you think them. I must ask you to do one thing for me if you mean to hang Mumford; give me what money I ought to have, and give me an order so that I may go away at once before the execution. For should it be found out that I had been in your service at any time, whether you were alive or dead, my life would not be safe a minute, and I want to go north."

I said, "Very well," and paid him and gave him an order on his captain to send him north by the first vessel, as if he were sent away. I frankly admit that I was frightened myself. I was sensible that I should be subjected probably to every kind of machination and intrigue for my death if I did my duty. I gave more attention that night to the question of Mumford's execution than I did to sleep, but I came to a conclusion satisfactory to my own mind.

On the afternoon of the next day I got a note saying that Mrs. Mumford and her children wished me to see them. I stepped into the parlor and told the orderly to bring them in and close the door and to see that I was not disturbed until I called for him. Mrs. Mumford in a proper way began to intercede for her husband and the father of her children. She wept bitterly, as did the children, who fell about my knees, adding all those moving acts which perhaps they had been instructed to say and do, or which perhaps naturally came to them. I was obliged to answer their mother that I wished it could be permitted to my sense of duty to reprieve her husband, but that it could not be. I told her that I had given it every thought and had considered it in every aspect; that while this scene was very painful to me, yet it could not alter my determination; that I was very sorry at the great affliction that was to come to her and her children, and that if in the future I could in any way alleviate that harm, she would not find, I hoped, as obdurate an ear as I was obliged to give her now.

"I hear Mumford believes he will not be executed," I said, "and I am told he is making no preparations for his death. Now, I think the greatest kindness you can do him is to let me ring for my carriage and send you to the jail. I will give an order for your admission to his room, or that you and your family may meet him in any room in the jail that will be most convenient for you. I wish you to convince him that he is mistaken and that he will be executed. Whether I live or die he will die; and let him in the few hours he has to live look to his God for pardon."

I called the orderly, reached the order for their admission to the lieutenant of the guard, and my carriage took the wife and family to the jail where they spent the remainder of the night, or as long as they chose, with the condemned man. Still they could not convince Mumford that I was really in earnest, and the people apparently were not any more convinced than himself. I afterwards learned that he asked the officer in charge not to give the order until the latest minute possible.

Imitating the Spanish custom as to the place of execution, which places it as near as possible to the spot where the crime was committed, I had ordered it to take place from the mint, with the flag of the United States, the companion of which he had

desecrated, floating over him. The place was almost in sight of my office. Mumford was permitted to stand upon the scaffold and make a speech as long as he chose. In it he claimed that he was impelled by the highest patriotism. A swearing, whiskey-drinking mob assembled below him, their bottles and pistols sticking out from their pockets when not in their hands. They kept declaring to each other that Mumford was not to be hanged, and that this was only a scare on the part of old Butler, and



THE MINT AT NEW ORLEANS.

threatened what the people would do if he was hanged. The street was quite full of them, almost to my office. At the last of it they got quite uneasy, the eyes of Mumford being lifted up the street to see if some staff officer did not come riding down, bearing the order of reprieve.

Dr. William N. Mercer was one of the best gentlemen in the city. Although a secessionist, he was a very mild one, holding

the doctrine that the Southern States had no right to secede, but that we had no right to force them not to. He was eighty years old, president of the Bank of Louisiana, and a man with whom I had formed the most friendly relations. A little before ten o'clock he almost rushed into my office, where I was sitting alone with my stenographer, and, reaching out his hands, tears running down his cheeks, said: —

"O General, General, give me this man's life. I must soon go to meet my Maker; let me take with me that I have saved a fellow-creature's life. You can do it, you can do it."

"No, Doctor," I said, "it is your life, and my life, and the life of every good man in this city which I must save. The question is now to be settled whether law and order or a mob shall govern."

"Oh, no, General; a scratch of your pen will save him."

"True, Doctor, and a scratch of that same pen would put you in his place. My officers are loyal and true, and they won't question the reason of my order. They will obey first and question it, if at all, afterwards. Having this great power I must use it judiciously. I cannot."

The old man, his tears falling like rain, turned and left me.

The looked-for staff officer did not come to the place of execution. At the appointed time the drop fell, and as it did there was a universal hush. The bottles and pistols went out of sight, and the crowd separated as quietly as if it were from the funeral of the most distinguished citizen. And no scene approaching general disorder was ever afterwards witnessed during my time.

The fate of Mumford caused the greatest excitement throughout the whole Confederacy. Threats of retaliatory vengeance came from the governor of Louisiana, and were circulated by all the cognate rascals south of Mason and Dixon's line, including Jefferson Davis. Mumford's wife and family were declared to be the sacred trust of the people, and his children the wards of the Confederacy. Subscription papers were immediately called for, and very considerable sums were raised to support them thereafter in comfort.

The reader may be interested to know how well this was carried out. I heard and thought nothing more upon the subject, except as a passing reflection, until about the year 1869, the date not

recollected, when I received a letter from a lady in Malden, Massachusetts. She wrote me in very dignified and proper terms that she was somehow interested in Mrs. Mumford, who was then in the greatest distress. Mrs. Mumford had written to her that at the time of the execution of her husband I had told her that if ever I could soften her troubles I would be glad to help her, and she asked her Massachusetts friend to send to me to ascertain if I would see her.

I immediately answered I would see Mrs. Mumford any time at my office in Washington. A few days later her card came to me and she was shown in. She had aged somewhat. I told her that I had received a letter from her friend and asked the purpose of her visit. She then told me that a very considerable amount of money had been subscribed for her, but being in Confederate money it did not amount to much. At last it was entrusted to some man, a clergyman I think, who concluded to take it and build a house in Wytheville, Virginia, for her and her children, of whom there were three or four. He had purchased two acres of land and had a house built upon it. The work was nearly finished, when her trustee ran away, leaving a mechanic's lien upon the building of something more than eighty dollars, and the land and buildings were now to be sold to satisfy that lien.

"Where are you living now?" I asked.

She said she had come to Alexandria and was staying there with a friend, waiting to see me.

"Can you wait there without difficulty until I can send down and see about this matter at Wytheville?"

She said she would thankfully, and that I would find her story correct.

I immediately sent to Col. Thomas Tabb, of Hampton, Virginia, who had been a Confederate officer, and who had afterwards been my counsel in some matters of moment. I wrote him the story and asked him to investigate it and to purchase the title to that house in the name of Mrs. Mumford, and charge the amount to me, and telegraph me if it was all right. He telegraphed me within a day or two that the matter was as I had supposed, and he would attend to it. The morning I got that despatch, Mrs. Mumford came again to my office. I told her what had been done. She expressed

great thankfulness and said that she would go home to Virginia and get into her house and try to live in it.

"How ?" asked I.

"Oh, we will try to raise enough on the two acres to live on."

"You cannot raise enough to live on very soon; have you no other resource ?"

"I have not."

"Is there any school in Wytheville in which to educate your boys ?"

"No, sir."

"You think they ought to be educated, don't you ?"

"Yes, sir."

"You have been very profuse in your thanks to me for what I have done," said I. "I wish you would put your expressions in writing, and write them as well as you can. I am going out to be gone ten or fifteen minutes, and will see you when I return."

I came back after a little time, and she handed me the note very nicely and quite clerkly written. "Well," I said, "I think I may be able to do something for you. Come back day after to-morrow and I will see what I can do."

The next day I called upon the Commissioner of Internal Revenue and asked him if he had a vacancy for a woman who wrote a good hand and spelled well and was fully educated up to that class of duties.

"I am a good deal pressed," he said, "but possibly I can make an appointment."

"Well," I said, "Mr. Commissioner, mine is a very special case and I want you, if possible, to do it." I then told him the story and said: "You see I do not care to have a recommendation from me to go upon your files. She will keep her own name and that had better not be connected with mine so as to draw observation."

"Very well," he said, "her place will be a nine hundred dollar position. Send her with your card and she shall have it, and if she deserves it she shall hold it."

She rented her house in Wytheville and took a small house in Washington. I saw her once in about six months or a year after that. She turned out to be a very good clerk, and was not dis-

turbed until the coming in of the "reform" administration of Mr. Hayes. Then there was a search made for places to put in the "reformer's" nieces, and the records were examined to see who were behind clerks as to "influence." The list showed nobody behind Mrs. Mumford, and, the commissioner having been changed, of course she was "reformed out."

She informed me. I visited the Treasury Department, the Department of the Interior, and the Agricultural Department to see if she could not be restored to a place. I found it utterly impossible until I visited a "rebel brigadier," General Key, then Postmaster-General, and told him the story. He gave her a clerkship in his department, and there she remained as long as she chose to stay in office, so far as I know. I saw the boys from time to time. They called to see me with their mother and they seemed to be very gentlemanly and bright.

I had one other occasion, while in New Orleans, to administer capital punishment. I certainly had no desertions reported to me that required it. The circumstances of this case are peculiar enough for narration.

For something over a week prior to the 12th of June, 1862, there had been continued complaint made at my headquarters of burglaries and robberies committed in the night time in many houses and in many parts of the city. No clew was brought to me by which the offenders could be ascertained, and it became a very annoying scandal and disgrace. On the morning of the 12th I said at mess table: "This system of night thieveries must be put an end to, and I am going to attend to nothing else, routine duty excepted, until it is done."

When I got to my office in the Custom House about nine o'clock, a respectable looking Spanish gentleman sent in his card, came in, and said to me that his house on Toulouse Street had been entered the night before in this way: An officer in the full uniform of a lieutenant came in and produced an order to search the house for arms. The officer had four men with him, and they searched everything in the house, evidently looking more carefully after pistols than guns. When they went away they gave the owner a certificate of search. This certificate read as follows: —

J. William Henry, first lieutenant of the Eighteenth Massachusetts Volunteers, has searched the premises No. 93 Toulouse Street, and find to the best of my judgment that all the people who live there are loyal. Please examine no more.

J. William Henry,

*Lieut. Eighteenth Mass. Vols.*

The complainant said they took all the jewelry in the house and somewhere in the neighborhood of $10,000 in money, but how much there was of either he could not tell.

Looking at the certificate I saw at once that it was a forgery, because I had no Eighteenth Massachusetts regiment. I looked at the complainant in some despair, and said: —

"Did you notice anything that you can tell me by which I can trace the men?"

"They went away in a cab."

"In the name of heaven, my man, did you get the number of the cab?"

"Yes, General, cab No. 50."

"Sit down there, then. Orderly, call the lieutenant of the provost guard. Send and catch cab No. 50, and the driver, and bring them here. Don't ride in his cab, but walk on the sidewalk and let him keep pace with you."

Very soon the orderly entered with the driver of cab No. 50.

"Did you drive any party last night?"

"Yes, General."

"Where?"

"Number 93 Toulouse Street."

"Did the party go in there?"

"Yes; all but one who stayed in the cab."

"Were they gone some time?"

"Yes, General."

"What did they do then?"

"They all loaded into the cab and I drove them to a coffee-house on the corner of ———," naming the streets.

"You sit down there. Lieutenant, take a party of the provost guard and go to this coffee-house, and bring to me every live thing in it including the cat, and don't let one speak to the other until after they have seen me."

In the course of three quarters of an hour the officer reported that he had the prisoners I had sent for.

"Bring them in in single file, and march them around this room."

As they were being marched before me, the face of one of them caught my eye and I knew I had seen it before. I rarely forget a face.

"Halloa, my man," I said, "where have I seen you before?"

"In Boston, General."

"Whereabouts?"

"In court."

"Which one of your crimes were you being tried for there?"

"Burglary, General."

"Well, you were tried for burglary there and convicted?"

"Yes."

"And pardoned out of State Prison to enlist in the army, and you did so?"

"Yes."

"What regiment?"

"The Thirtieth."

"Are you of that regiment now?"

"No; I have been discharged on account of a rupture."

"Very well; having been convicted of burglary and pardoned once and now caught here robbing houses again, can you show any reason why you should not be hanged at once to save all further trouble?"

"Oh, don't do that, General; I will tell you all about it."

The room was cleared, and he began, under a caution to tell the truth, because lying to me was a sin I never pardoned. He said that there was a party of seven of them who had formed a secret society under an oath. They had organized and gone around the last two weeks searching houses for arms, and getting everything they could. They had visited eighteen different houses. He gave me the names of the band and the places where the men lived. They did not all live at this coffee-house. Three of them we had not caught. They were immediately sent for and brought in. I recognized one of them as being the mate of my steam yacht. Three confessed that night and signed a written confession, and the property was substantially all recovered. A notice was put in the

newspapers for everybody whose house had been robbed to come to the provost marshal's office and identify their property and take it. Everything was restored except three or four hundred dollars that they had spent out of the money. They had up to that time made no division of spoils.

I then, by General Order 98, sentenced three of them to be executed at the parish prison on the 16th. The next day I tried the rest of them and they were convicted, and substantially confessed all. Five of them in all were condemned to execution. One, a boy, at the intercession of his mother and upon evidence that he had not been a bad boy before his connection with the gang, and being only a sort of page for them, I sentenced to prison for a short term. The man that confessed and turned State's evidence, as is the phrase, I sentenced to Ship Island at hard labor for five years.

The rebel cry went all over the city: "These men won't be hanged, although Mumford was. One of them is an officer on the General's yacht, and he will be smuggled off." At ten o'clock on the day fixed for the hanging it would seem as if one half of the city had turned out to witness the spectacle. The executions duly took place.

From that hour no burglary was ever committed in New Orleans; at least none was ever complained of. There were no incendiary fires there, and, what was more wonderful, there was no assault with attempt to kill. The only crimes tried by the provost court were petty larcenies and assaults, and the city from Chalmette, its southern boundary, to Carrollton, its northern limit, was more safe by night or by day than any city in the United States at the present hour.

After my return to the North, the case of the mate's wife was stated to me as one of destitution, and I directed that a sewing machine, which it was claimed she needed, should be purchased and given to her.

The effect of this speedy and condign punishment of offenders, the course of justice marching steadily on, coupled with a belief which prevailed in New Orleans that nothing could be done there that I could not find out, — a belief which I fostered as much as I could, — was the secret of the peace and quiet which pervaded the city. It was supposed I had the best spy system in the world. That was

true, but not in the way it was supposed. The negroes all came and told me anything they thought I wanted to know. I never let it be known that one of them spoke to me upon any subject. I had nobody else hear that class of informers. They would tell me the exact truth, so far as they understood it, and if it was anything of worth, they received from my hands some small compensation.

Let me give two examples of the manner in which that system worked.

Early in June I was informed that there was a sewing "bee" in the house of one of the first ladies of New Orleans and that they were making a flag to send to a New Orleans regiment in Beauregard's army at Corinth. This flag was of the finest embroidered silk, trimmed with gold fringe and very handsomely ornamented. After I got the information I waited quietly until the flag was finished and a nice canvas case made for it. This case was also embroidered, as one doesn't want an unfinished flag. Then I sent an orderly with my carriage to the house of the lady. He was instructed to present General Butler's compliments to her, with the message that the general's carriage was at the door and he desired to see her at once. No harsher demand for the appearance of a person was ever sent by me, except in the case of an immediate arrest. I held that the invitation of the sovereign was equivalent to a command.

A handsomely dressed lady, who seemed forty but might have been fifty, was shown into the office and handed a seat. I took a paper in my hand and looking at it said: —

"Is this Mrs. ——?"

"Yes, General."

"Living at No. —, —— Street?"

"Yes."

"Well, madam, my information is that you have been having a series of sewing 'bees' at your house by a party of young secession girls, making a flag to be sent to Beauregard's army. I have occasion for such a flag on the Fourth of July. I hear there is to be a Sabbath school celebration of the children of my town and I want to send a Confederate flag up there to please them, for they have never seen one. Won't you please go with my orderly and get that flag and bring it here?"

Her look of astonishment was ludicrous. She gasped out: —

"General, you must be mistaken; you have been misinformed as to the person."

"Madam, if I were you I wouldn't deny that which you know and I know. You have had that flag made; it is finished and in your house; and I should get it from there now, as I have seen fit to move about it, if I had to take down your house from roof to hearth-stone. Now, please don't let us have any fuss made about the matter and require that I shall have to send down a party of soldiers to get it, because you will know that I know where it is when I tell you where it is. It served as a bolster under your pillow last night. Orderly, take this lady to the house from which you brought her and keep her in sight until you return her here."

In a short time the orderly returned, bringing what appeared to be a handsome case for a flag. I opened the case by releasing the gathering cord at the top and produced a very handsome flag, rolled up. I looked at it, thrust it back into the case, and threw it to one side.

"Yes," said I, "that is the one I want. I don't want any more; and I wouldn't make any more if I were you. If I should happen to want another I will send to you, for this is a very beautiful one. You can go, madam."

"May I ask you a question, General?" she gasped out.

"Oh, certainly; I will answer it if a proper one."

"Which of those girls gave information about this flag?"

"Oh, I can't tell you that, madam, because they would not come and tell me anything more if I did."

"I know, I know," said she; "one of them has been seen walking with a Yankee officer."

"I have no objection to you secession women eating each other like Kilkenny cats; I have nothing to do with that. But you may accuse her unjustly. It may be your servants, which I suppose you have.'

"No, it was not my servants, General; that won't do. The only one of my family that knows anything about it is my foster sister, the daughter of my nurse brought up with me from the same breast."

"Oh, well, I am glad to hear you have such faithful servants," and she left. It was her foster sister all the same who was my

informer, and she did it without hope of reward, and only to revenge herself on her foster mistress.

I had issued an order that there should be no meetings or convocations held except by my permission, save of the fire companies and police.

About eleven o'clock one night a good-looking, well-dressed negro servant applied to see me. I was about retiring, but said he might be sent in.

"General," said he, "I have just come from a party of gentlemen. There were fourteen of them. They have been having a dinner, and they have abused you and the United States, and swore about you and said all manner of hard things about you. I know it, for I was waiting on the table all the evening, and I took notice so as to tell you."

"Do you know their names?"

"Yes, sir."

"Where their places of business are?"

"Yes, sir."

The bell was touched for a stenographer, who took down the names and addresses of all the members of the party. A five-dollar gold piece was given to the negro and he was dismissed, his name and address being taken.

In the morning the names of all the persons composing the party were given to an orderly, who was instructed to call on each of them, letting no one of them know that he was going to call upon the other, and give each my compliments and say that I would be glad to see him at my office at four o'clock sharp.

At four o'clock the orderly opened the door, and touching his cap, said: —

"General, the men that you ordered here are in waiting."

I ordered them shown in, and they arranged themselves around the room. There was an expression of eager curiosity on the face of each.

"Gentlemen," said I, "I trust I know the habits of good society well enough not to take much notice of what is done and said at a social dinner party, when the wine is in and the wit is supposed to be out. My information is, and you know whether it is correct or not, that you were assembled last night in direct disobedience of

a general order, as you know, and the dinner party was an excuse for the assemblage, and that you amused yourselves by abusing me. That is not of much consequence; I forgive you that. But you abused your government and mine, and you used terms about it and about the President and members of the government that I can't permit. You supposed that I could not know of it. Nothing passes here, worth knowing, that I don't know about, as you see. But, gentlemen, this was mere folly; it did neither good nor harm to anybody, and I shall take no further notice of it unless something of the kind is somewhere done again, and if it is I will surely give you notice of it. Good day, gentlemen. I hope I shall not have to trouble you further."

And they departed, every man inquiring in his own mind which one of that party told.

## CHAPTER XI.

## MILITARY OPERATIONS.

THE question must have arisen in the mind of the reader, in poring over the administration of these many civil affairs: Were military operations delayed while these things were being done?

By no means. Farragut and myself were ordered to do two things, if we could; first, to open the Mississippi River; second, to capture Mobile. Now, the capture of Mobile was of no earthly military consequence to anybody. It was like the attempted capture of Savannah, Port Royal, Fernandina, Brunswick, and Charleston, in which places the lives of so many good men were sacrificed. These places could all have been held by a few vessels under the command of vigilant, energetic, and ambitious young naval officers.

The absolute inability of the Confederacy to have a navy or any force on the sea, ought to have suggested to us a militia navy for coast protection and defence. Then there could have been an early concentration of our troops into large armies for the purpose of instruction and discipline; and as almost every part of the Confederacy was penetrable to a greater or less degree by means of rivers, our armies should have marched by water to a very much greater extent than they did. Now, the great water communication of the whole West, through the Mississippi, was to be opened to the sea at all hazards.

New Orleans was now invincible to any land force so long as our navy occupied the river and Lake Pontchartrain, and so long as the city was held by five thousand men who had nothing else to do. A single ten-gun sloop off Manchac Pass rendered it impossible for the city to

be taken by land so long as Lake Pontchartrain was held by our light-draught gunboats. Therefore, it was agreed between the admiral and myself that with his main fleet he should go up the river as far as he could, and that I should give him the troops needed to occupy the places that he could take with his fleet. Thereupon he left directly, and seized Baton Rouge. Here we left some two thousand men, more because it was a healthy location than for any particular military usefulness. We concluded to make no fortification there.

Farragut passed Port Hudson, where there were at that time no considerable defences. He had determined to look upon Vicksburg as the only place where a fortified stronghold was substantially possible for the protection of the surrounding country. The fleet accordingly went on.

We at once agreed — and General Williams acquiesced upon observation — that the easier way of passing Vicksburg was to make a short canal across the peninsula that faced the city and thus turn a current of water through this channel. It was believed that such a canal would soon shorten the river, leaving Vicksburg and its possible fortifications some three miles inland. The project was undertaken, and it might have been successfully carried out had not a sudden fall of several feet in the height of the river rendered it impossible to dig the canal deep enough.

To capture by assault with Williams' brigade was not practicable, and as Vicksburg was found to be within the territorial lines of the department of General Halleck, the admiral thought it was his duty and his right to at least ask Halleck to furnish men enough to co-operate with the navy, and, in conjunction with Williams, to make the attack.

Now, mark: Vicksburg was the most important point in the country to be captured. Farragut was above it with his fleet, having run by it. If Halleck, when he moved from Corinth, had sent any considerable force from Corinth to the rear of Vicksburg to cut off supplies, — as our fleets were both above and below the town — it might have been starved out in twenty days, as Grant a year afterwards captured it by starvation of its forces, after he had lost many men in assaults, and from the unhealthiness of the region. Ellet with his fleet had captured Fort Pillow;

and the river would have been opened from St. Louis down to the sea, if Halleck had complied with Farragut's request. This was Farragut's letter: —

ABOARD FLAG-BOAT,
ABOVE VICKSBURG, June 28, 1862.

MAJOR-GENERAL HALLECK:

*Sir:* — I have the honor to inform you that I have passed the batteries and am now above Vicksburg with the greatest part of my fleet. I drove the men from the batteries, but they remained quiet till we passed, and then they up again and raked us. They have some eight regiments, or ten thousand troops, to replenish the batteries and prevent us from landing. Brigadier-General Williams is acting in concert with me, but his force is too small to attempt to land on the Vicksburg side, but he is cutting a ditch across the peninsula to change the course of the river. My orders, General, are to *clear the river.* This I find impossible without your assistance. Can you aid me in this matter to carry out the peremptory order of the President? I am satisfied that you will act for the best advantage of the government in this matter, and shall therefore wait with great anxiety your reply. Lieutenant-Colonel Ellet, who has kindly offered to co-operate with me in any way in his power, has also offered to send this despatch to you.

I remain, with respect, your obedient servant,

D. G. FARRAGUT,
*Flag-Officer Commanding.*[1]

Stanton had already addressed Halleck on the same subject on the 23d of June, and this communication, here given, must have reached Halleck even before he received Farragut's letter: —

[*Telegram.*] WAR DEPARTMENT, June 23, 1862.

MAJOR-GENERAL HALLECK, CORINTH:

If you have not already given your attention to the practicability of making a cut-off in the rear of Vicksburg I beg to direct your attention to that point. It has been represented to the Department to be an undertaking of easy accomplishment, especially under the protection of gunboats. A despatch to-day received from General Butler speaks of it as a project contemplated by him, but he may not have a force to spare.

EDWIN M. STANTON,
*Secretary of War.*[2]

[1] War Records, Vol. XV., p. 514.

[2] War Records, Vol. XV., p. 494.

Halleck answered Farragut's letter on the 3d of July as follows: —

CORINTH, July 3, 1862.

FLAG-OFFICER FARRAGUT,
COMMANDING U. S. FLOTILLA IN THE MISSISSIPPI:

The scattered and weakened condition of my forces renders it impossible for me at the present moment to detach any, to co-operate with you on Vicksburg. Probably I shall be able to do so as soon as I can get my troops more concentrated. This may delay the clearing of the river, but its accomplishment will be certain in a few weeks. Allow me to congratulate you on your great successes.

H. W. HALLECK,
*Major-General.*[1]

On the 15th of July Halleck sent the following communication to the Secretary of War in answer to his letter: —

CORINTH, MISS., July 15, 1862,
10.40 A. M.

HON. E. M. STANTON, SECRETARY OF WAR:

I cannot at present give Commodore Farragut any aid against Vicksburg. I am sending reinforcements to General Curtis in Arkansas, and to General Buell in Tennessee and Kentucky.

H. W. HALLECK,
*Major-General.*[2]

Now let us look a moment at the position of Beauregard's army, the only great force against Halleck. Both armies had lain for months in the condition of two men where one is afraid to fight and the other dares not. Halleck says his troops were "not concentrated." Why were they not?

On the 10th of June Beauregard wrote to Lovell, commanding at Vicksburg, as follows: —

With regard to Vicksburg, as already stated, I regard its fate as sealed. You may defend it for awhile to hold the enemy at bay, but it must follow ere long the fate of Fort Pillow.

How important Davis thought Vicksburg was, is shown by his letter of the 14th of June, 1862, to General Smith, commanding at Vicksburg: —

[1] War Records, Vol. XV., p. 517.

[2] War Records, Vol. XV., p. 519.

RICHMOND, VIRGINIA, June 14, 1862.

BRIG.-GEN. M. L. SMITH, VICKSBURG, MISS.:

. . . . . .

What progress is being made toward the completion of the Arkansas? What is the condition of your defence at Vicksburg? Can we do anything to aid you? Disasters above and below increase the value of your position. I hope and expect much from you.

JEFFERSON DAVIS.

On the 22d of June General Bragg ordered to Vicksburg the first reinforcements, six thousand of Breckinridge's corps.

On the 26th Van Dorn, who was left in command of Beauregard's army, removed his headquarters to Vicksburg, only to be immediately superseded by Bragg, who was in command of the department.

On the 1st of June, Beauregard with all his army was in full retreat from Corinth. On the 17th, he abandoned his command and went to Bladen Springs, near Mobile, sick. Davis seems to have found some fault with Beauregard for retreating, but Beauregard says, "it was a brilliant and successful retreat," which is about as good as a retreat can be.

Halleck had an army before Corinth, on June 1, of ninety-five thousand men for duty. On the same day, Beauregard's command, covering the Army of the Mississippi, and the Army of the Department of the West, and some troops staying at Columbus, Mississippi, amounted in all to fifty-four thousand men for duty. These figures are from the official War Records, Volume X., Part I–II, p. 382.

On the 19th of July some of Halleck's forces were *en route* to Chattanooga.

How can these statements of Halleck be reconciled with each other, and with the facts? If he desired to serve the country, they show that he was utterly careless of his duty, for I take leave to repeat that there was nothing so important to be done at that time for the cause of the Union as to capture Vicksburg and open the river. A careful examination shows that there were not four thousand available armed men between Vicksburg and Halleck. Lovell says that his "troops were indifferently armed."

The truth is not to be disguised that Halleck did not want to capture Vicksburg, because then he would have had to share the honor with Farragut and his fleet. He never moved a man toward it,

although he promised to so do. He was ordered so to do by the Secretary of War, but he did not obey the order.

About a year afterwards, having done nothing, he was made general-in-chief of the army, when a singular revenge for his own conduct was put upon him. He ordered Banks to go to Vicksburg and help Grant conquer it, and he ordered Grant to go to Baton Rouge and help Banks conquer that, and neither of them obeyed him. They evidently took a leaf of disobedience out of his own book.

It may be said in excuse for Halleck's not sending his troops to Vicksburg that the condition of things at Washington and the need of reinforcements because of McClellan's defeat around Richmond justified Halleck in neglecting Vicksburg and in sending his troops to Washington.

There are two answers to that: First, that he did not send any troops there, but made as his excuse for not aiding Farragut the statement that he had sent his troops to reinforce Buell and also Curtis. Those reinforcements so sent away, on then comparatively unimportant errands, would have been invaluable if sent to Vicksburg, which was nearer him than the points where they were actually sent.

The other answer is that President Lincoln, having Vicksburg strongly in his mind, as we know, — for the Secretary of War had ordered Halleck to co-operate with Farragut, — wrote to him expressly not to send any troops to Washington when he had important use for them in his own department: —

War Department, July 2, 1862.

Major-General Halleck, Corinth, Miss.:

Your several despatches of yesterday to the Secretary of War and myself received. I did say, and now repeat, I would be exceedingly glad for some reinforcements from you; still, do not send a man if, in your judgment, it will endanger any point you deem important to hold, or will force you to give up, or weaken or delay, the Chattanooga expedition. Please tell me, could you make me a flying visit for consultation, without endangering the service in your department?

A. Lincoln.[1]

The only man that was in a "panic" concerning Washington was Halleck himself, as will be seen by his letter to McClernand which I quote: —

[1] War Records, Vol. XVII., Part II., p. 63.

CORINTH, June 30, 1862.

MAJOR-GENERAL MCCLERNAND, JACKSON:

The defeat of McClellan near Richmond has produced another stampede in Washington. You will collect as rapidly as possible all the infantry regiments of your division, and take advantage of transportation by every train to transport them to Columbus and thence to Washington City. General Quinby will be directed to turn over to you certain troops of his command. The part of General Wallace's division at Memphis will go up the Mississippi, and the portion at Grand Junction will follow as soon as relieved. . . .

H. W. HALLECK,

*Major-General.*[1]

Halleck's letter shows the condition of his mind. The following letter from General Pope shows the condition of his opponents:—

CAMP NEAR BOONEVILLE, June 12, 1862.

MAJOR-GENERAL HALLECK:

A spy whom I sent some days ago to Okolona has just returned. The enemy is scattered along the whole road from Columbus to Tupelo, sixteen miles below Guntown. They are disorganized, mutinous, and starving. He reports the woods full of deserters belonging to the northern counties of Mississippi. Nearly the whole of the Tennessee, Arkansas, and Kentucky troops have left. A large rear guard has been strung along perpendicular to the road for twenty miles, driving the stragglers and all the cattle of every description before them. The spy reports that the whole army is utterly demoralized, and ready to throw down their arms; the Alabama troops have heard of Wood's and Negley's movements and are clamorous to go home. . . .

JNO. POPE,

*Major-General.*[2]

On the 1st of June, General Williams, commanding the expeditionary corps, then at Baton Rouge, had gone up the river to make a demonstration on Camp Moore with the Thirtieth Massachusetts, the Ninth Connecticut, the Seventh Vermont, the Fourth Wisconsin, Nims' battery and two sections of Everett's, which would make his force about thirty-five hundred effective men.[3]

[1] War Records, Vol. XVII., Part II., p. 56. [2] War Records, Vol. XVII., Part II., p 5

[3] War Records, Vol. XV., p. 836.

Upon the suggestion of the flag-officer, on the 6th of June, I had issued an order as follows: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, LA., June 6, 1862.

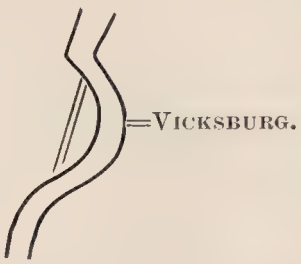
BRIGADIER-GENERAL THOMAS WILLIAMS,
COMMANDING FORCES, BATON ROUGE, LA.:

*General:* — I am directed by the major-general commanding to say that he will send you the remainder of Everett's battery, with its horses and harnesses, the Thirty-First Massachusetts and the Seventh Vermont Regiments, and Magee's cavalry, with transportation, ammunition, and forage for all.

With this force the general will expect you to proceed to Vicksburg with the flag-officer, and then take the town or have it burned at all hazards.

You will leave such force as you may judge necessary to hold Baton Rouge. Camp Moore is believed to be broken up substantially, and perhaps you will think a regiment sufficient; Colonel McMillan's is recommended, as he has two pieces of cannon. The flag-officer has distinct instructions to open the river, and will do it, I doubt not. A large force is sent to you with what you have, and sufficient, as it would seem, to take any batteries and the supporting force they may have at Vicksburg.

You will often be amused by reports of the enemy's strength. Witness your report of the numbers approaching Baton Rouge. These stories are exaggerated always. You will send up a regiment or two at once and cut off the neck of land beyond Vicksburg by means of a trench across, thus: —



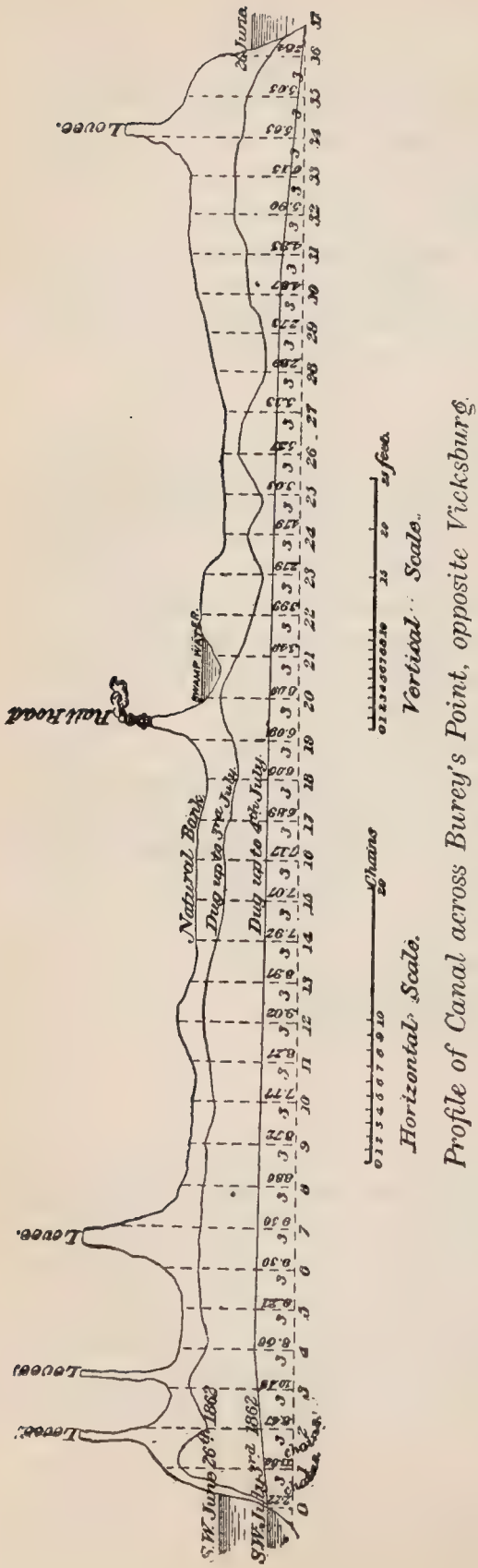

making the cut about four feet deep and five feet wide. The river itself will do the rest for us.

A large supply of spades and shovels has been sent for this purpose.

Report frequently.

By order of the Major-General Commanding:

GEORGE C. STRONG,
*A. A. G., Chief of Staff.*




*Profile of Canal across Burey's Point, opposite Vicksburg.*

On the 4th of July General Williams reported: —

Have arrived at Vicksburg. On June 25 commenced running and levelling the line of the cut-off canal, and on the morning of the 27th broke ground. Between eleven and twelve hundred negroes, gathered from the neighboring plantations by armed parties, are engaged on the work. With the hard-working twelve hundred negro force engaged and this prospect of a rise we are in good heart. The project is a great one, and worthy of success. In the next three days we expect to be ready for the waters of the Mississippi. The fleets of Flag-Officers Farragut and Davis are waiting for the result with great interest. Seven of Flag-Officer Farragut's vessels, having passed Vicksburg at four in the morning of the 28th, without silencing the batteries of the town, are anchored with Flag-Officer Davis' fleet of six mortar boats and four gunboats on the west side of Barney's Point.

Again on the 6th of July, he reported as follows: —

To-day's work of the negro force on the cut-off, duly organized into squads of twenty, with an intelligent non-commissioned officer or private to each, superintended by officers, is highly satisfactory. The flag-officer with his fleet is most sanguine and even enthusiastic. I regard the cut-off to be my best bower.

There was no rise in the river, but on the contrary a great fall, so that it was reported to be impossible without three months labor to make a canal deep enough for the naval vessels. Therefore I left General Williams to co-operate with the fleet in the proposed capture of Vicksburg, although I had learned that it was in the department of Major-General Halleck. That Halleck might have no delicacy in calling for the co-operation of General Williams I addressed to him the following letter: —

HEADQUARTERS DEPARTMENT OF THE GULF
NEW ORLEANS, LA., July 26, 1862.

MAJOR-GENERAL HALLECK,
COMMANDING DEPARTMENT OF THE WEST:

*General:* — I avail myself of the voyage of the Tennessee to communicate with you upon the subject of General Williams' brigade at Vicksburg.

General Williams was sent up at a time when we should have had only local troops to meet at Vicksburg. It was not properly within my department, but the exigencies of the public service, as it seemed to me, justified the movement. It is now quite different, as I am informed that a division at least of your army is moving upon Vicksburg.

I have great need of General Williams' command to aid me in clearing out the guerrillas from this State, who are doing infinite mischief. I have therefore ordered his recall, as his force since the reinforcement by Van Dorn and Breckinridge of the enemy, is too small for operations alone, and a junction of Generals Grant and Curtis must give ample force for the reduction of the place. The disposal of the guerrilla bands is easy of accomplishment, but it requires many men to hold the various points, which if not held only bring destruction upon our friends there.

If in anything I can aid your operations command me. I have sent a duplicate of this under cover to General Grant for information as well as to General Williams.

I have the honor to be your obedient servant,

BENJ. F. BUTLER,
*Major-General Commanding.*[1]

Before writing this letter I surmised what the trouble with Halleck was: inconsistency, vanity, cowardice, — one or all. I had determined that he should find no refuge in the fact that he supposed I would not give him aid. But knowing of the retreat of Beaure-

[1] War Records, Vol. XV., p. 530.

gard's army on the 10th of June, and of Halleck's reply on the 23d that his own army was weak and disorganized, I was convinced as to the sort of a man I had to deal with, and I never had any more dealings with him during my stay in New Orleans.

Meanwhile I had received some information which put the proposed movement against Mobile wholly to one side and also showed that Farragut's fleet might at any moment be called from his attack on Vicksburg.

Before the 16th of May, a short time after my arrival in New Orleans, a small French vessel, the Catinet, came up and anchored at the head of the fleet. Her officers and sailors did not sympathize with the Union people of New Orleans, or with the military officers, or troops. Her commander did not do himself the honor of calling on the commanding general even on a visit of ceremony. He passed by the forts after Farragut passed up without Farragut seeing him.

I learned afterwards that he was simply a French spy. The only communication I had with him was within thirty days after his arrival. He held a great jubilee on his vessel one evening, and had a large party there singing secession songs at the top of their voices, calling large crowds to the levee to hear them. I sent him a communication saying that such conduct must not be repeated on board his vessel, and that if it was I should send down a battery of artillery to prevent it. It did not recur.

Meanwhile I was informed by the Secretary of State, verbally, that information had been received, through confidential channels, from Paris that Emperor Louis Napoleon had made substantially this proposition to the English government: —

That the two governments should unite in recognizing the independence of the Confederacy. That a treaty should then immediately be made with the Confederacy through Mason and Slidell. That Louis Napoleon, being promised aid by the rebels, should make an attack upon Mexico [which was afterwards made without their aid], for the purpose of establishing the empire of Maximilian, and that he should occupy New Orleans as a base of his operations, as Vera Cruz was not a harbor that could be safely occupied by a fleet, on account of its exposure to the "northers."

More in detail, the last part of the scheme was this: The Emperor was to assemble his fleet at Martinique under the pretence of block-

ading Mexican ports, — which would be a mere pretence, for no such blockade would have been of any use. At once upon a declaration of war, without any further notice to us, his fleet was to attack and take Forts St. Philip and Jackson, and move on to New Orleans. The rebels were to make an attack by land and dispossess the United States of its control of Louisiana. For doing this, Napoleon was to have Texas re-annexed to Mexico. The message to me was that I must get ready to meet the attack by putting the forts in full repair and full armament, and that I must defend New Orleans at all hazards. I was further told that for obvious reasons it was impossible that these orders should be entered of record unless carried out.

This was a somewhat startling condition of affairs. If a French fleet attempted to pass the forts I was to stop it by firing upon it. That would have been a pretty distinct act of war on a nation which was neutral, so far as was known to me officially. If the fight took place and I were successful perhaps I might be excused for having gone into an undertaking for which I had no proper legal justification. But if I were unsuccessful and it became necessary for our government to make an explanation, I knew enough of Seward to know that he would instantly deny that any such instructions were given me, and would claim that the whole affair was a matter of my rashness and desire to quarrel with the French government on account of the actions of the French citizens of New Orleans towards my army and the United States.

I had several reasons for believing that the projected enterprise was fully determined upon: —

First, the conduct of the French ship Catinet and its officers.

Second, the fact that the communication came to me from a source that I could well credit.

Third, it was so characteristic of the French Emperor.

It was certainly best to put the forts in thorough order for defence, and that I proceeded to do with the utmost energy and despatch.

I ordered Lieutenant Weitzel to examine the forts, which he had built, and to ascertain and report what was necessary to put them in such condition that no fleet could pass them, by day or by night, as Farragut had done. He jumped into my headquarters boat and went down, and returned very soon with an most admirable state-

ment of the time it would take and what would be required to put the forts in such condition.

We came to the conclusion that by taking the heavy guns which had been put above New Orleans to meet a fleet coming down the river, and such guns as were just below the city at Chalmette, and using them to make proper water batteries below Forts Jackson and St. Philip, we could, without doubt, hold the forts against the French fleet, especially, since if they got anywhere near past our forts, they would meet Farragut's fleet, when there would probably be a very different performance from that with the rebels when his fleet passed up. Then to my utter astonishment Weitzel added: —

"But, General, we cannot repair those forts without an order from Washington. I will write General Totten, the chief of engineers, about it."

I said an impatient word about Totten. "What has he got to do with it?"

"No fort can be repaired, General, by the army regulations, without permission of the chief of engineers."

"Well," I said, "I can get along without that permission, for I have money and men enough with which to do it, and I will send at once for the ordnance, if we are short."

"Oh, but, General, I do not see how I can do it."

I loved Weitzel then as I have ever since, but not knowing whether we should have time enough to get the forts ready, I said with great impatience: —

"Well, if you cannot do as you are ordered I will get somebody else to do what I want done, but I regret it fearfully. I should be to blame in this, not you, and my orders would justify you. You may go."

In the course of an hour, while I was reflecting upon the difficulties of my position, my chief of staff, Major Strong, came in and said: —

"General, what have you been doing to poor Weitzel?"

"Nothing," I answered, "but telling him what I want him to do and what he can do."

"But, General, you have broken his heart. A braver and stronger man doesn't live; but I found him in his quarters sobbing like a child and so broken down that he could not tell me what you had

done, only that you ordered him to do what he could not do. He says that he doesn't fear it on his own account, because the order of the commanding general will justify him in doing anything, and adds, if you were an officer of the regular army he would obey you without a word ; but he loves you, General, and he says it would be your ruin and the loss of your command to do what you want done."

I sketched to Strong what I wanted done, but not the reasons why I wanted it done. I asked him to go and bring Weitzel. When Weitzel came in I said: —

"Strong has been telling me what your feelings are. I know what they are towards me, and I feel very grateful for them, and I am glad that you said to him that you would do what I wanted done if I were a regular officer. But you also said that I did not know the risk I was incurring. I was both glad and sorry to hear that. I thought, Weitzel, you had been long enough with me to believe that I know more about military law and my responsibility than all the regular officers in the service put together. As a lawyer I ought to know my duty, and as a man I am willing to do it without any regard to consequences. Now, you and Strong go together and draw any order that you two believe will justify you in obeying my commands in this matter, and I must and will take the responsibility. Upon reflection, I will not take no for an answer. Now go and make your order."

I should remark here perhaps that my plan of carrying out campaigns was always to give my orders first and have them obeyed, and put them in writing afterwards as a justification for the obedience. Papers came last, not first, with me.

In a few minutes they returned with a very carefully drawn order directing Weitzel to go and do what was wanted to be done, the details to be arranged in writing afterwards. I signed it and had it countersigned by my chief of staff.

"Now, Strong," said I, "put that on the order book, and Weitzel, you go and get from the quartermaster anything you want, including any number of men you can use, — and they may be hired if necessary, — and I will pay the bills. We have lost three hours here, and I shall expect you by diligence to make it up. Good morning."

Colonel Jones was in command of the forts, with the Twenty-Sixth regiment, and he was instructed to exercise his men as much

as possible as heavy artillerists. The forts were put in apple-pie order and the men were thoroughly drilled. I may add here that Weitzel never could settle that account with his department, although he charged himself with the moneys received from me and furnished vouchers for the expenditures. It was "irregular," and if he had stayed in that department as an engineer officer, I suppose, according to army regulations, his pay would have been stopped to reimburse the United States for money that never came from the United States and that had been expended in the utmost good faith, the United States getting full value for it.

I was further convinced that my information about the French fleet was true, because on the 16th of June the city government of New Orleans, which had not then been disbanded, but was soon after, passed the following resolution unanimously, under a suspension of the rules: —

Whereas, It has come to the knowledge of this council that, for the first time in the history of this city, a large fleet of the navy of France is about to visit New Orleans, of which fleet the Catinet, now in our port, is the pioneer; and whereas, this council bears in grateful remembrance the many ties of amity and good feeling which unite the people of this city with those of France, to whose paternal protection New Orleans owes its foundation and early prosperity, and to whom it is especially grateful for the jealousy with which, in the cession of the State, it guaranteed all the rights of property, person, and religious freedom of its citizens; therefore.

Be it resolved, That the freedom and hospitalities of the city of New Orleans be tendered, through the commander of the Catinet, to the French naval fleet during its sojourn in our port; and that a committee of five of this council be appointed, with the mayor, to make such tender and such other arrangements as may be necessary to give effect to the same.

This resolution was published in the New Orleans *Bee*. I made the following answer: —

This action is an insult, as well to the United States, as to the friendly and powerful nation toward whose officers it is directed. The offer of the freedom of a captured city by the captives would merit letters patent for its novelty, were there not doubts of its usefulness as an invention. The tender of its hospitalities by a government to which police duties and sanitary regulations only are entrusted, is simply an invitation to the calaboose or the hospital. The United States authorities are the only

ones here capable of dealing with amicable or unamicable nations, and will see to it that such acts of courtesy or assistance are extended to any armed vessel of the Emperor of France as shall testify the national, traditional, and hereditary feelings of grateful remembrance with which the United States Government and people appreciate the early aid of France, and her many acts of friendly regard, shown upon so many national and fitting occasions.

The action of the city council in this behalf must be reversed.

But another question in this regard troubled me very much: How was I to fire upon the French fleet, without orders, when it came up. I reflected; indeed I examined the French treaties and the law of nations. Finally I hit upon this expedient. The sanitary regulations of a garrisoned place are military regulations, and are such as the commanding general may deem proper to enforce, especially when martial law is declared. They are to be respected and obeyed by friendly nations and its officers, because they are for the safety of all. If disobeyed knowingly, they are to be enforced by all the means and power which it is necessary to use. Now the French fleet would come from Martinique, a port whose condition was wretched, and was a condemned one. It was hot weather and the yellow fever was there, and my orders were that every vessel, whether of our own nation or of any other, must remain below the forts at a point designated until it had been examined by the health officer, and a report made and written instructions received from me to allow it to proceed. The forts were to stop, and, if necessary, to fire upon, any vessel that refused to obey these quarantine regulations. Therefore it was made the duty of the health officer to hail every vessel and to give a copy of these orders to the officer who received him on deck. If the health officer was not received on board to examine a vessel, he was to drop his hospital flag into his boat as a signal, and if the vessel then proceeded up the river, she was, at all hazards, to be stopped before she reached the forts.

I believed I could justify myself in relying upon this course of law in firing upon the French vessels if they attempted to pass the forts without obeying my quarantine regulations. And a shot in return would justify the whole fire of both forts.

Early in June I learned that an attempt was to be made to organize a revolt and insurrection in New Orleans with the intent

to recapture the place. On the 10th of June, Beauregard's armies commenced to scatter. A great many conscripts were disbanded; and they came to New Orleans, not as paroled soldiers but as stragglers from the Confederate army.

As portions of Beauregard's army might be sent down to make an attack on the city, — as they afterwards were under Breckinridge, — it was necessary for me to be in readiness. The only thing that could make such an attack successful was an organized force rising upon my rear in New Orleans itself. I concluded to find out who in the city were loyal and who disloyal, and have that made a matter of record.

Again, I knew the confiscation acts were pending in Congress and would soon be passed. By these the property of disloyal men would be confiscated by the government. I reasoned that as soon as the confiscation commenced, every man would claim he had always been loyal and would prove it by his neighbors, who were as disloyal as himself, and so recover his property — as has since been done to the extent of millions.

I determined that every man who chose to take the oath of allegiance and so declare himself, should have an opportunity to do it, and, while forced upon no man, it should be taken by every man who desired to hold any office or position under the United States or to receive any special favor of the United States except the protection of person, property, and liberty.

The inhabitants of New Orleans at this time might be thus classed: Union men; rebels; foreigners friendly to the United States; foreigners sympathizing with the Confederates; soldiers from Beauregard's army, some inclined to submission and some not so inclined.

These soldiers numbered several thousands, and it was necessary to have them singled out and either paroled or confined for refusing to be paroled.

To put on record the loyal and the disloyal, I issued General Order No. 41. This order required that the oath of allegiance prescribed by law should be taken by every person who was a citizen of the United States Those who had resided in the country five years, though foreign born, should be deemed citizens if they had not sought protection of their government within that time. All for-

eigners claiming any of the privileges of the American citizen, or protection or favor from the Government of the United States, should take and subscribe the oath. The books should be open, and a proper officer would administer the oath to any person desiring to take the same, the officer to witness the subscription of the name and to furnish to the party taking the oath a certificate thereof.

This order immediately aroused the intense indignation of the consuls, and they addressed me in a labored argument to show that the oath offered to them would be equivalent to naturalizing them as citizens, and that although they were not forced to take it, yet they could have nothing of protection until they did take it and acknowledge themselves as citizens of the United States. They then said that that would be a violation of their neutrality. The argument further was, that the foreigners' oath required them to swear that they would act as spies for the United States, and that the requirement that they "should not conceal any act done," required them to swear that they would be spies and denunciators for the United States. This address was signed by all the consuls, headed by the French consul.

To this I answered in substance that there was nothing compulsory about the order; that I had nothing to do with naturalization; that I had asked no such oath. As to their statement that this oath compelled every foreigner to descend to the level of a spy for the benefit of the United States, I answered that there was no just construction of language which would give any such interpretation to the order. The oath required him who took it not to conceal any wrong that had been or was about to be done in aid of the enemies of the United States. I continued: —

It has been read and translated as if it required you to reveal all such acts. Conceal is a verb active in our language; concealment is an act done, not a thing suffered by the concealers.

Let me thus state the difference in meaning.

If I am passing about and see a thief picking the pocket of my neighbor, and I say nothing about it unless called upon by a proper tribunal, that is not concealment of the theft; but if I throw my cloak over the thief to screen him from the police officer while he does it, I then "conceal" the theft. Again, if I know that my neighbor is about to join the rebel army, and I go about my usual business, I do not "conceal" the fact; but if upon being inquired of by the proper authority as to

where my neighbor is about to go, I say that he is going to sea, I then conceal his acts and intentions.

Now, if any citizen or foreigner means to conceal rebellious or traitorous acts against the United States, in the sense above given, it will be much more for his personal comfort that he gets out of this department at once.

Indeed, gentlemen, if any subject of a foreign state does not like our laws, or the administration of them, he has an immediate, effectual, and appropriate remedy in his own hands, alike pleasant to him and to us; and that is, not to annoy his consul with complaints of those laws or the administration of them, or his consul wearying the authorities with verbose protests, but simply to go home,— stay not on the order of his going, but go at once. Such a person came here without our invitation; he will be parted with without our regrets.

But he must not have committed crimes against our laws, and then expect to be allowed to go home to escape the punishment of those crimes.

The taking of the oath among the citizens went on. The foreigners all claimed that the form of the oath was such that they could not take it; whereupon I changed the form of the oath prescribed, by General Order No. 42, as follows: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, June 19, 1862.

General Order No. 42.

The commanding general has received information that certain of the foreign residents in this department, notwithstanding the explanations of the terms of the oath prescribed in General Order No. 41, contained in his reply to the foreign consuls, have still scruples about taking that oath.

Anxious to relieve the consciences of all who honestly entertain doubts upon this matter, and not to embarrass any, especially neutrals, by his necessary military orders, the commanding general hereby revises General Order No. 41, so far as to permit any foreign subject, at his election, to take and subscribe the following oath, instead of the oath at first set forth: —

I, ....., do solemnly swear that I will, to the best of my ability, support, protect, and defend the Constitution of the United States. So help me God!

[TRADUCTION.]

Je,....., jure solennellement autant qu'il sera en moi, de soutenir, de maintenir et de défendre la Constitution des Etats-Unis. Que Dieu me soit en aide!

The general is sure that no foreign subject can object to this oath, as it is in the very words of the oath taken by every officer of the European Brigade, prescribed more than a year ago in "Les rêglements de la Légion Française, formée à la Nouvelle Orléans, le 26 d'Avril, 1861," as will be seen by the extract below, and claimed as an act of the strictest neutrality by the officers taking it, and, for more than a year, has passed by all the foreign consuls — so far as he is informed — without protest: —

Serment que doivent prêter tous les officiers de la Légion Française.

STATE OF LOUISIANA, PARISH OF ORLEANS.

I, ....., do solemnly swear that I will, to the best of my ability, discharge the duties of ..... ... of the French Legion, and that I will support, protect, and defend the Constitution of the State and of the Confederate States. So help me God!

Sworn to and subscribed before me.

[TRADUCTION.]

ETAT DE LA LOUISIANE, PAROISSE D' ORLEANS.

Je, ....., jure solennellement de remplir, autant qu'il sera en moi, les devoirs de....., de la Légion Française, et je promets de soutenir, de maintenir, et de défendre la constitution de l' Etat et celle des Etats Confedérés. Que Dieu me soit en aide!

Assermenté et signé devant moi.

By command of

MAJOR-GENERAL BUTLER.

R. S. DAVIS, *Capt. and A. A. A. G.*

On the 7th of August, it was reported that the oath prescribed to the citizens had been taken by 11,723 persons, and foreign neutrals' oath by 2,499, and that 4,933 privates and 211 officers of the Confederate army had given the required parole. The women generally refused to take the oath.

Meanwhile, it became necessary to take another precaution, and that was to require all the arms in the city to be delivered up and put in my possession.

To this, the French consul of course objected in a letter to Lieutenant Weitzel, who was the assistant military commandant. This letter was as follows: —

French Consulate at New Orleans,
New Orleans, August 12, 1862.

*Sir:* — The new order of the day, which has been published this morning, and by which you require that all and whatever arms which may be in the possession of the people of this city, must be delivered up, has caused the most serious alarm among the French subjects of New Orleans.

Foreigners, sir, and particularly Frenchmen, have, notwithstanding the accusations brought against some of them by certain persons, sacrificed everything to maintain, during the actual conflict, the neutrality imposed upon them.

When arms were delivered them by the municipal authorities, they only used them to maintain order and defend personal property; and those arms have since been almost all returned.

And it now appears, according to the tenor of your order of to-day, that French subjects, as well as citizens, are required to surrender their personal arms, which could only be used in self-defence.

For some time past, unmistakable signs have manifested themselves among the servile population of the city and surrounding country, of their intention to break the bonds which bind them to their masters, and many persons apprehend an actual revolt.

It is these signs, this prospect of finding ourselves completely unarmed, in the presence of a population from which the greatest excesses are feared, that we are above all things justly alarmed; for the result of such a state of things would fall on all alike who were left without the means of self-defence.

It is not denied that the protection of the United States government would be extended to them in such an event, but that protection could not be effective at all times and in all places, nor provide against those internal enemies, whose unrestrained language and manners are constantly increasing, and who are but partially kept in subjection by the conviction that their masters are armed.

I submit to you, sir, these observations, with the request that you take them into consideration.

Please accept, sir, the assurance of my high esteem.

The Consul of France,

Count Mejan.

Lieutenant Weitzel, *U. S. Engineers,*
*and Assistant Military Commandant of New Orleans.*

I do not see how I can add anything to my reply to this letter. The evident desire to hold on to the arms impelled me to make my order more effectual, and therefore I must prevent the concealment of them by a high penalty; and also I sent this reply: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, August 14, 1862.

*Sir:* —Your official note to Lieutenant Weitzel has been forwarded to me.

I see no just cause of complaint against the order requiring the arms of private citizens to be given up. It is the usual course pursued in cities similarly situated to this, even without any exterior force in the neighborhood.

You will observe that it will not do to trust to mere professions of neutrality. I trust most of your countrymen are in good faith *neutral;* but it is unfortunately true that some of them are not. This causes the good, of necessity, to suffer for the acts of the bad.

I take leave to call your attention to the fact, that the United States forces gave every immunity to Monsieur Bonnegrass, who claimed to be the French consul at Baton Rouge; allowed him to keep his arms, and relied upon his neutrality; but his son was taken prisoner on the battle-field in arms against us.

You will also do me the favor to remember that very few of the French subjects here have taken the oath of neutrality, which was offered to, but not required of them, by my Order No. 41, although all the officers of the French Legion had, with your knowledge and assent, taken the oath to support the constitution of the Confederate States. Thus you see I have no guarantee for the good faith of bad men.

I do not understand how it is that arms are altered in their effectiveness by being "personal property," nor do I see how arms which will serve for personal defence ("qui ne peuvent servir que pour leur défense personnelle") cannot be as effectually used for offensive warfare.

Of the disquiet of which you say there are signs manifesting themselves among the black population, from a desire to break their bonds ("certaines dispositions à rompre les liens qui les attachent à leurs maîtres"), I have been a not inattentive observer, without wonder, because it would seem natural, when their masters had set them the example of rebellion against constituted authorities, that the negroes, being an imitative race, should do likewise.

But surely the representative of the emperor, who does not tolerate slavery in France, does not desire his countrymen to be armed for the purpose of preventing "the negroes from breaking their bonds."

Let me assure you that the protection of the United States against violence, either by negroes or white men, whether citizens or foreign, will continue to be as perfect as it has been since our advent here; and far more so, manifesting itself at all moments and everywhere ("tous les instants et partout"), than any improvised citizens' organization can be.

Whenever the inhabitants of this city will, by a public and united act, show both their loyalty and neutrality, I shall be glad of their aid to keep the peace, and indeed to restore the city to them. Till that time, however, I must require the arms of all the inhabitants, white and black, to be under my control.

I have the honor to be your obedient servant,

BENJ. F. BUTLER,

*Major-General Commanding.*

TO COUNT MEJAN, *French Consul.*

This order was thoroughly effective. Attempts were made to conceal arms, but the negroes complained of them in order to get the rewards, and whoever concealed them were dealt with in a manner that showed the folly of such conduct. Well-known and well-tried Union men were allowed, upon application to the provost court, to retain their arms. There were delivered up to my officer rising six thousand.

Further, to prevent the possibility of organization, the coming together of any number of people, save the police and fire brigade, was prohibited by a general order. My system of information was so perfect that there could be no considerable breach of that order without my knowledge, as we have seen.

From the first, I felt perfectly safe in New Orleans, and I immediately arranged to hold the city proper with a very small force in view of the possible prevalence of yellow fever, which, thank heaven! did not come. When my guards were posted, I had as a reserve force less than two hundred and fifty men. My whole army was regarded by the rebels as very small, yet I held the whole of Western Louisiana east of the Red River. I sent small parties of troops when necessary everywhere in it, and no one was ever disturbed except a small party under a flag of truce, which was seized.

Governor Moore, on June 12, sent the following information to President Davis: —

. . . The army of Butler is insignificant in numbers, and that fact makes our situation the more humiliating. He has possession of New Orleans with troops not equalling in number an ordinary city mob. He has Baton Rouge, and, until Fuller's exploit,[1] used the Opelousas railroad to transport small parties to various places in the interior, who intimidated our people, and perpetrated the most appalling incendiarisms and brutality. Our people were demoralized, and no wonder, when our forts and strong places had been the scenes of the disgraceful conduct of officers who had charge of their defence, of which I have given you some details in a previous letter.

Lovell, who was in command of that department, suggested, on the 7th of June, that Department No. 1 of Louisiana should be abandoned. Lee responded on the 16th of June that he deemed the department of too much importance to be abandoned. "He regrets his inability to send you reinforcements. He knows of no troops that can be spared at any point, unless General Beauregard can send you some from his command."

I, myself, had made repeated applications for reinforcements that I might move upon the enemy, but the situation of the Army of the Potomac around Washington prevented anything being sent.

The light draught gunboats that were required in February as absolutely necessary in a department where everybody went by water, were never sent. I wanted twelve; I had captured two and bought one, the Estrella, and that was put in the hands of Farragut so that he could have a light draught boat for his own operations up the river.

The operations of the fleet of Farragut, and of the eighteen mortar boats of Porter at the siege of Vicksburg, where the utter inefficiency of Porter's invention of the use of mortar boats in military operations was again fully demonstrated, are matters of which I have hereinbefore spoken.

As Weitzel's Union report, and as Duncan's rebel report show, they left Forts Jackson and St. Philip substantially as defensible as before the week's bombardment, and their effect before Vicksburg and its batteries was another demonstrative illustration. The guns of the fleet, it was known, would be quite harmless, because the high cliffs on which Vicksburg is situated rendered it substantially

[1] Violation of a flag of truce.

impracticable to elevate the guns of the fleet so as to do more than reach the batteries which were placed on the cliffs and so arranged that their guns might be run forward and shoot down on the fleet, and then be drawn back and reloaded in safety. Therefore, reliance was placed upon the shells from the fire of the mortar fleet to dismount the guns.

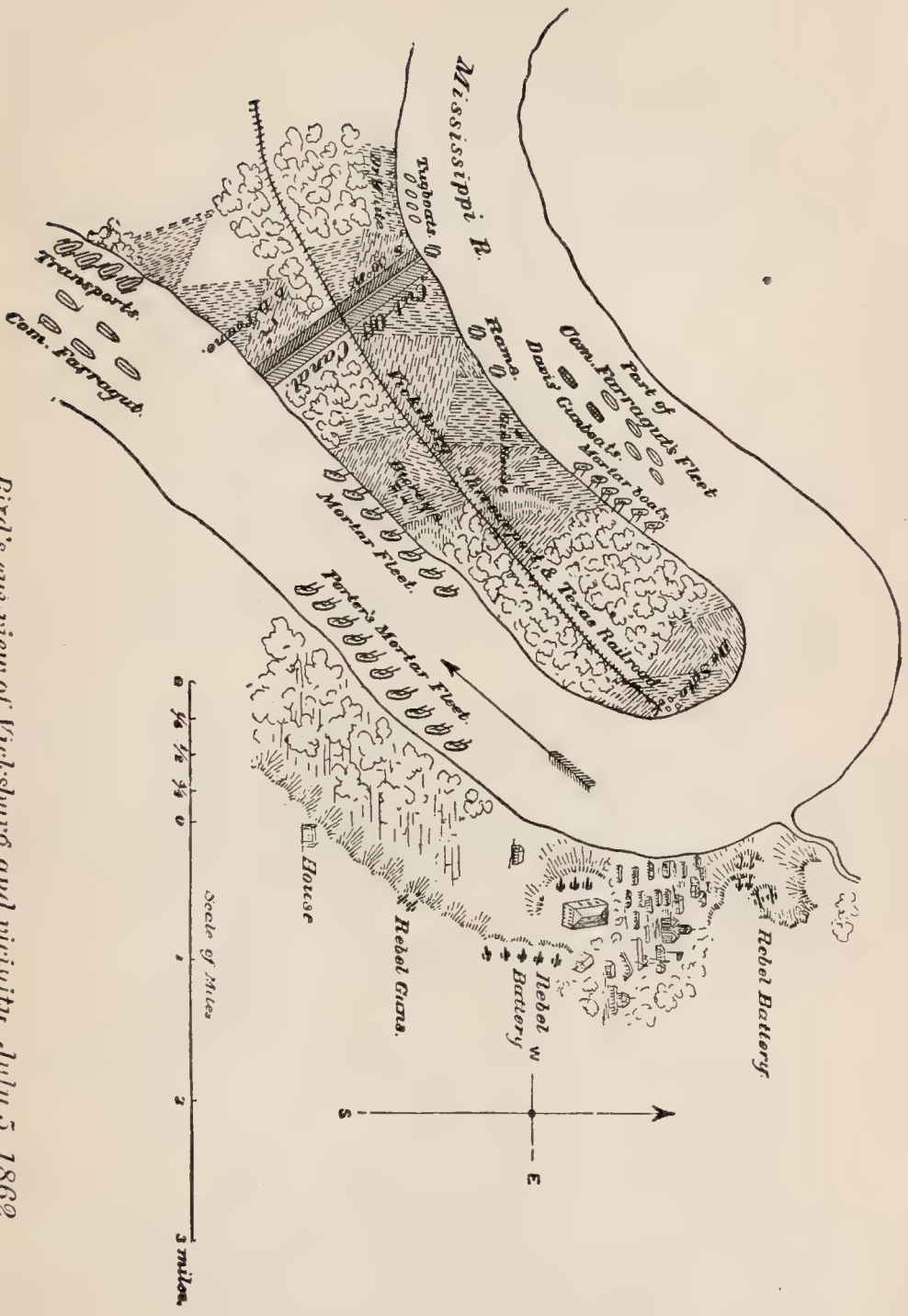
The mortar fleet, aided by all the guns of the fleet, commenced its fire on the 21st of June, and Farragut passed the batteries on the 28th of June after three hours' passage within range of the batteries.

The entire harmlessness of the noise and confusion of that performance as a military operation, or in any other way, is fully demonstrated by the reports of General Smith, the immediate rebel commander, and of Earl Van Dorn, the department commander, extracts from which I give, from War Records, Series I., Vol. XV., pp. 8, 9. General Smith reports: —

> The roar of cannon was now continuous and deafening; loud explosions shook the city to its foundations; shot and shell went hissing and tearing through trees and walls, scattering fragments far and wide in their terrific flight; men, women, and children rushed into the streets, and, amid the crash of falling houses, commenced their hasty flight to the country for safety This continued for about an hour and a half, when the enemy left, the vessels that had passed the lower batteries continuing on up the river.
>
> The result of this effort on the part of the enemy was most satisfactory; not a single gun was silenced, none disabled, and, to their surprise, the serious bombardment of the preceding seven days had thrown nothing out of fighting trim. It also demonstrated to our satisfaction that how large soever the number of guns and mortar boats, our batteries could probably be successfully held; consequently that the ultimate success of our resistance hinged upon a movement by land. . . .

General Van Dorn says: —

> It is a matter of surprise that not a single gun was dismounted during the whole time, and only two temporarily disabled, both being repaired in one night.
>
> The casualties on our side during the entire siege were twenty-two killed and wounded. Not a gun was dismounted and but two were temporarily disabled.




*Bird's-eye view of Vicksburg and vicinity, July 5, 1862.*

I hope these facts will allay in some degree the great fear of our citizens of a war with England lest our cities should be bombarded. If ever done, it will be at long range.

Attention is called to the facts stated: no house burned, but some penetrated. I believe that the mortar fleet experiment in warlike operations begun and has ended with Porter.

To show the opinion of Admiral Farragut as to the cause of the surrender of Forts Jackson and St. Philip, it may not be uninteresting to append the following letter: —

U. S. Flag Ship Hartford,
At Anchor off New Orleans, May 1, 1862.

*Dear General:* — I have received your communication sent by Captain Conant of the Thirty-First Massachusetts Regiment, for which please accept my sincere thanks.

It affords me no little gratification that our friends who were anxiously looking on should consider that we had "not only performed our duty," but, "did it brilliantly," and to the "admiration" of our associates in arms, who watched our movements with the feelings of military men who knew that on the result depended their own success in gaining a foothold on the enemy's soil.

The intrepidity with which you so soon followed up our success by landing your forces at the Quarantine, through mud and mire and water for miles, and which enabled us to tighten the cords around them, has also added to my obligations; and I trust that you will now occupy and hold the city without further difficulty other than those incident to a conquered city disordered by anarchy and the reign of terror which this unfortunate city has passed through.

I am, very respectfully and truly, your obedient servant,

D. G. Farragut,
*Flag-Officer Western Gulf Blockading Squadron.*

Gen. B. F. Butler,
*Commanding Department of the Gulf.*

When the operations around Vicksburg came to an end, I again went to Baton Rouge. I arrived on the 26th of July with the Second Brigade, under the command of General Williams. This brigade had suffered very severely from sickness, though not so greatly in the loss of troops by death. As I have said, Baton

Rouge was very healthy for the troops, and I saw fit to leave them there for a few days until health was restored. Indeed, there were some regiments that could not bring into line more than two hundred men.

On the 29th of July, General Breckinridge ordered a general movement of all his troops on Baton Rouge. His own division consisted of four brigades, in addition to General Clark's division and the large portion of General Ruggles' brigade.

Orders were issued requiring all troops to concentrate for this move, stating it to be of the greatest importance.

True, Breckinridge's division had suffered somewhat from disease, but not in any degree as ours had suffered. The other troops had been quietly camped and drilled at Camp Moore and elsewhere for months.

On the 30th of July he moved from Baton Rouge with his full force. In his report, which he did not render until the 30th of September, he makes every attempt to belittle his force, although he denominates the battle a victory. The "War Records" show that he had forty-six different organizations of some sort present.

Van Dorn had ordered him to attack on the 5th of August at daybreak, supported by the ram Arkansas, which had been sent down there. He says he intended a surprise.

General Williams, in command of the department, learned when the attack would be made. On the 4th he called together his several commanding officers and selected the position of his forces to meet the attack. General Weitzel reported that this position was an admirable one. Then Williams awaited Breckinridge.

The attack was made under cover of an almost impenetrable fog, but it was fully met by Williams and his command. Breckinridge made one mistake: He knew our centre was held by the Indiana regiment, and he had also learned that at dress parade on the night of the 4th only one hundred and twenty men of that regiment appeared for duty, and he therefore deemed that point the weakest one. But when the tocsin of attack sounded through our camps, the men of the Indiana regiment turned out nearly three times more on the line of fight. They seized their muskets and abandoned their hospitals, although some of them were so weak that they could not have marched a mile. The same was true in a lesser degree of the other regiments.

We early met with a great misfortune: Williams was killed immediately after his address to the Twenty-First Indiana, whose acting colonel, Keith, had received a disabling wound. He said: "Indianans, your field officers are all killed; I will lead you;" when almost immediately a ball put an end to his life.




Topographical Map of City and Battlefield of Baton Rouge, Miss.

The men retreated at first a short distance from their camps where they were posted, but the enemy were finally repulsed by a steady and well-directed fire. Union troops were not encouraged by the non-appearance of the Arkansas, for they knew nothing about her. Our gunboats could not aid them — unless an attempt were to be made to turn their flanks — because they would have had to fire over

our troops at very long range upon the enemy, which would have been disastrous. Suffice it to say that the enemy, after three hours and a half of fighting, the fog having lifted, were repulsed in full run, leaving their dead and wounded in piles in our hands. Colonel Cahill, of the Ninth Connecticut, was left in command. He cautiously sent out scouts to a very considerable distance, and found the houses on the route filled with the dead and wounded. A flag of truce came from the victorious (?) General Breckinridge, asking leave for a party to come in and bury the dead and to bring out General Clark who had been wounded. That flag of truce was answered that the task of burying the dead had already been substantially accomplished, and that General Clark was in the house of a personal friend of his.

The ram Arkansas, from which so much had been expected, had come down the river and run herself on shore about four miles and a half above Baton Rouge. Breckinridge says he had no information of this until the morning of the day of the battle. As soon as he learned it he sent out a party, at the head of which was one of his staff officers, the late Governor Wickliffe of Kentucky. Wickliffe was in my office later with a flag of truce, and he told me that he went on board the Arkansas and that her crew set her on fire with her guns all shotted, and that she exploded on her way down river. This was stated to me in the presence of Commodore William Porter (a brother of Admiral Porter), who had just before stated to me that that morning he went up with the iron-clad Essex, from which nobody had heard anything during the night, and that he met the Arkansas coming down, opened fire upon her, and by his second shot she blew up. Wickliffe replied that nobody fired any shot at her, and that they did not see or hear from the Essex.

I knew Wickliffe before I knew Porter and his reputation, so that I believed Wickliffe and not Porter, although in my first despatch about the battle of Baton Rouge, I gave Porter and the Essex the credit of having done that which Porter said they had done. Soon after, I was informed by Farragut from up river that Porter's account was not true, and I corrected my subsequent report in that regard.

It will be observed that I state that the Arkansas was put on shore. My ground for this is that there are no tides in the river, and how

could she have been set on fire and shoved off if she ran ashore? A dozen or more published reports in the "War Correspondence" confirm this account of this transaction.

But its very truth did not prevent Porter from going before Congress and getting an appropriation of some hundreds of thousands of dollars — how much, the records will show — voted to him and his men for their courage, conduct, and gallantry in attacking and destroying the Arkansas. It is hard to tell the fact, but it must be said, that lying is a family vice.

At first I determined to hold Baton Rouge, but upon reflection I changed my mind. For I saw that an attack on New Orleans was the ultimate object of this attack on Baton Rouge. As I have often said before, Baton Rouge was of no possible military importance, and was held only for its healthiness. But all danger of yellow fever was now over, and New Orleans was as healthy at that hour, as the statistics will show, as the city of Boston. Hence I determined to concentrate my troops and abandon Baton Rouge. This I did very leisurely, bringing away everything of public property that could be of any use to the enemy. The State library I placed in the library building in New Orleans, and the State statue of Washington, a very valuable relic, I sent to the Patent Office. I was certain that no attack would be made upon New Orleans, at least until the other iron-clad which was being built upon the Yazoo River should be gotten ready to come down and lead the attack. This iron-clad, as I learned from a man I sent to examine her, could not possibly be done before the middle of October.

To show the accuracy and reliability of my secret service system, I give the report of General Williams on the 2d of August: —

HEADQUARTERS SECOND BRIGADE,
BATON ROUGE, LA., August 2, 1862.

John Mahan [Mann?] with a pass from General Butler, dated July 22, for Vicksburg, and who left New Orleans July 25, and arrived at Pontchatoula and Camp Moore Monday, July 28, having proceeded up the Jackson railroad as far as Jackson, arrived here by the way of Summit, Liberty, and Bayou Sara this morning at 10 o'clock. He says he saw Breckinridge's force of six full regiments and fourteen guns at Camp Moore and Pontchatoula Monday, July 28, and that their purpose is to

attack this place; says they may be expected on the rear of Baton Rouge at this time, or at any time in the next day or two.

If Mahan be a true man and a true observer there is to be an attack here or at New Orleans; if at New Orleans, a demonstration here.

Respectfully, your obedient servant,

T. Williams,

*Brigadier-General Volunteers.*

Capt. R. S. Davis, *Assistant Adjutant-General.*

P. S. I shall send Mahan down by the first opportunity to headquarters. I hope the rebels have as many sick as I have. Perhaps (let us hope at least) that a battle may to our sick exert all the effects of the best tonic of the pharmacopœia.

T. W.,

*Brigadier-General.*

I answered General Williams on the 3d: "I received your note by the hand of John Mann [Mahan?], who was in my confidential service. While his information may be relied upon as correct, yet all the inferences which he draws may not be." I farther gave reasons which I had from the movement of the enemy at Camp Moore that the attack would be delayed. "And while I would not have you relax your vigilance, I think you need fear no assault at present. When it does come I know you will be ready."

On the evening of that day I sent a confidential messenger with a copy of the enemy's order that the attack should be made on August 5 at daybreak, to Williams, with directions to destroy the copy, for if it should fall into the hands of the enemy, the source of information might be traced. That was the universal rule with me, in order to relieve the fears of my secret service men.

After the battle of Baton Rouge, I issued a congratulatory order, and published and distributed to my command an appreciative notice of the lamented Williams: —

Headquarters Department of the Gulf,
New Orleans, La., August 7, 1862.

General Order No. 56.

The commanding general announces to the Army of the Gulf the sad event of the death of Brig.-Gen. Thomas Williams, commanding Second Brigade, in camp at Baton Rouge.

The victorious achievement—the repulse of the division of Major-General Breckinridge by the troops led by General Williams, and the destruction of the mail-clad Arkansas by Captain Porter, of the navy — is made sorrowful by the fall of our brave, gallant, and successful fellow soldier.

General Williams graduated at West Point in 1837; at once joined the Fourth Artillery in Florida, where he served with distinction; was thrice brevetted for gallant and meritorious services in Mexico as a member of General Scott's staff. His life was that of a soldier, devoted to his country's service. His country mourns in sympathy with his wife and children, now that country's care and precious charge.

We, his companions in arms, who had learned to love him, weep the true friend, the gallant gentleman, the brave soldier, the accomplished officer, the pure patriot and victorious hero, and the devoted Christian. All and more went out when Williams died. By a singular felicity the manner of his death illustrated each of these generous qualities.

The chivalric American gentleman, he gave up the vantage of the cover of the houses of the city — forming his lines in the open field — lest the women and children of his enemies should be hurt in the fight.

A good general, he had made his dispositions and prepared for battle at the break of day, when he met his foe.

A brave soldier, he received the death-shot leading his men.

A patriot hero, he was fighting the battle of his country, and died as went up the cheer of victory.

A Christian, he sleeps in the hope of the Blessed Redeemer.

His virtues we cannot exceed — his example we may emulate — and mourning his death, we pray "may our last end be like his."

The customary tribute of mourning will be worn by the officers in the department.

By command of

MAJOR-GENERAL BUTLER.

R. S. DAVIS, *Captain and A. A. A. G.*

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, LA., August 9, 1862.

General Order No. 57.

SOLDIERS OF THE ARMY OF THE GULF:

Your successes have heretofore been substantially bloodless. Taking and holding the most important strategic and commercial positions, with the aid of the gallant navy, by the wisdom of your combinations and the moral power of your arms, it has been left for the last few days to baptize you in blood.

The Spanish conqueror of Mexico won imperishable renown by landing in that country and burning his transport ships, to cut off all hope of retreat. You, more wise and economical, but with equal providence against retreat, sent yours home.

Organized to operate on the sea-coast, you advanced your outposts to Baton Rouge, the capital of the State of Louisiana, more than two hundred and fifty miles into the interior.

Attacked there by a division of our rebel enemies, under command of a major-general recreant to loyal Kentucky (whom some of us would have honored before his apostasy), of doubly superior numbers, you have repulsed in the open field his myrmidons, who took advantage of your sickness from the malaria of the marshes of Vicksburg to make a cowardly attack.

The brigade at Baton Rouge has routed the enemy. He has lost three brigadier-generals, killed, wounded, and prisoners; many colonels and field officers. He has more than a thousand killed and wounded.

You have captured three pieces of artillery, six caissons, two stand of colors, and a large number of prisoners. You have buried his dead on the field of battle and are caring for his wounded. You have convinced him that you are never so sick as not to fight your enemy if he desires the contest. You have shown him that if he cannot take an outpost after weeks of preparation what would be his fate with the main body.

If your general should say he was proud of you it would only be to praise himself; but he will say he is proud to be one of you.

In this battle the Northeast and Northwest mingled their blood on the field, as they had long ago joined their hearts in the support of the Union. Michigan stood by Maine; Massachusetts supported Indiana; Wisconsin aided Vermont; while Connecticut, represented by the sons of the evergreen shamrock, fought as our fathers did at Boyne Waters.

While we all mourn the loss of many brave comrades, we who were absent envy them the privilege of dying upon the battle-field for our country under the starry folds of her victorious flag.

The colors and guidons of the several corps engaged in this contest will have inscribed upon them "Baton Rouge."

To complete the victory, the iron-clad steamer Arkansas, the last naval hope of the rebellion, hardly awaited the gallant attack of the Essex, but followed the example of her sisters, the Merrimack, Manassas, Mississippi, and Louisiana, by her own destruction.

By command of

MAJOR-GENERAL BUTLER.

R. S. DAVIS, *Captain and A. A. A. G.*

When I turned my attention to the perfecting of my fortifications above New Orleans at Chalmette, on the upper side of the city, I met an unexpected obstacle. When that line was established, upon consultation with General Phelps I came to the conclusion that all the wood and timber must be cut down for a considerable distance in front of our line, from the river to the lake. I directed General Phelps to employ negroes, and cut down the timber and wood so as to clear that line.

He had a great number of escaped slaves in and about his camp. Sometime before that, he had asked me to permit him to organize them into military companies and drill them and furnish arms and equipments for them. I had told him it was impossible, because it was against the direct order of the President, who had just disbanded some negro troops organized by Hunter, and because the arms and equipments sent me were especially reserved for white troops only. He replied that he was not fit for slave-driving or slave-catching, and declined to obey my orders.

Now I loved General Phelps very much. He was a crank upon the slavery question solely; otherwise he was as good a soldier and commander as ever mounted a horse. I reasoned with him in every way. I showed him that Congress had just passed an act that forbade military companies to employ negroes, and now that we were at liberty to employ them, I wished he would go forward. I begged him to do so, but he answered very decisively that he would not. Before this he had sent me a very long, eloquent, able, and well-put argument in favor of our negroes as troops, requesting that I forward it to the President, which I did. If I had not been of his opinion before, I should have been fully convinced by that argument. He wound up this communication by saying that his commission was in the hands of the President.

I wrote to Phelps that whatever might be my own opinions, I could not, where there was no sufficient emergency, act against the orders I had received from my superior. As I gave the order for him to use the negroes in the way I directed, the matter was upon my conscience, not on his; he was the mere hand that executed it. I said, moreover, that I saw nothing of slave-catching or slave-driving in executing this command, especially as at Washington our own soldiers had cut away the timber in

front of Arlington Heights, and in that they were neither slave-driven nor slaves.

He promptly refused to obey me, and sent in his resignation. I had to refuse to accept it, and the whole matter was laid before the President. In the strongest language of which I was capable I represented to the President my great desire to have Phelps remain with me. They held the matter under advisement at Washington.

I wished to satisfy myself that there was not to be any attack made upon us from the neighborhood of Manchac Pass. Such an attack could not be made unless that pass was largely fortified by the enemy. Accordingly, I permitted Major Strong, at his request, to take two companies up towards Pontchatoula, where Brig.-Gen. Jeff Thompson held his rebel camp. With great courage and determination, and in the face of innumerable difficulties, Strong extended his reconnoissance up to Pontchatoula. All the rebel troops ran away, and Thompson had gone before that; and all Strong could do was to capture Thompson's sword and spurs and destroy the other property and burn up some number of carloads of the provisions, as he had no means of bringing them away. A more daring performance than that of Strong was not done during the war by anybody.

In the meantime I had become satisfied that the French government had come to an understanding with Mr. Seward and had broken off with Mason and Slidell; and that Seward was to aid the French Emperor in his attack on Mexico. That fact the man Seward himself confessed by an order issued that no arms should be sold to go out of the country because all were wanted to arm our troops. When the war commenced, very many thousands of guns had been bought with which to arm our troops until we should be able to make our own, which was very soon. Most of those rifles had been discarded and sold to various dealers in arms. They were not needed by us then, nor have they been used by us since. Mexico, finding that she was to be invaded by the French troops, sent into the United States for those arms with which to arm her troops, — and they were certainly better than nothing. When Seward's order was made it was so worded as not to appear to be a thrust at Mexico, for we were claiming to be friendly with Mexico and against the

French in the matter of putting a French emperor over her. Thus we were stabbing her in the back.

Soon afterwards I received information that one or more ships of the French fleet at Martinique, under the command of Admiral Reynaud (Fox) of the French navy, were coming to New Orleans. In a little time Admiral Reynaud appeared, bringing a communication from Seward authorizing me to sell Reynaud, if not inconsistent with the public service, some five to eight hundred draught mules, which he would pay for and receive at New Orleans for transportation. I instantly understood what that meant. There were no draught mules in Mexico, and there were substantially none in all the West India Islands. There were plenty of pack mules in Mexico, but heavy ordnance could not be carried on the back of pack mules from Vera Cruz to the capital. Scott had met with the same misadventure. The French Emperor wanted those mules to transport the munitions of war with which to besiege the city of Mexico.

Now, I was honestly on the side of Mexico, and as I was making preparations for an expedition into Western Louisiana, I came to the conclusion that I could not, in consonance with the public service, sell my mules. In other words, I determined the French should not get a mule from me; and they did not. I called for reports from my quartermasters, and they all reported to me that it was impossible to spare a mule, and these reports I showed to the French admiral.

I did not want any difficulties with the French if I could help it. Therefore, after expressing my regret that I could not furnish the mules, I invited Admiral Reynaud to take a trip with me down the river on my tour of inspection of Forts Jackson and St. Philip. He said he would be very happy to go with me. I was happy to have him, because I knew that General Weitzel, with the aid and under the inspection of Col. E. F. Jones, who was in command of them, had put the forts in perfect equipment for defence.

We went down and thoroughly inspected the forts. I showed the admiral how our guns in both forts would bear upon the river if anybody attempted to repeat the daring feat of Farragut in running by them. I descanted at length to him upon the mistake the enemy made in sending down fire-rafts to oppose us instead of putting them along on both sides of the river within range of the fire of the forts, and

explained that in case a fleet came up the river now, at night, so the gunners of the forts couldn't see the vessels, the river would be lighted up by burning the fire-rafts along the banks so that every man on board the vessels would be plainly visible; and that Farragut owed his success considerably to the fact his expedition was undertaken on a dark night. I then showed him how Farragut's fleet, giving him its weight of metal, could be posted just above the forts and cover the whole distance with the guns of the fleet, a thing which was not done by the rebel fleet.

After having explained all this to him, I said, semi-confidentially: "Now, Admiral, what do you say; with these means of resistance properly handled with skilled gunners, do you believe that any fleet of the British navy of wooden vessels could live to make that passage?" He answered that it seemed to him that it would be impossible, *and, from the manner of his answer, I believed he thought: Neither could any French fleet.* We had a good dinner and returned to New Orleans. From that hour I had no fear of any attack on the city by the French.

I desired to organize a special brigade to capture and occupy all the western part of Louisiana and other places east of the Red River, and to control the mines of salt deposit in New Iberia. These mines could be approached by water, an advantage which Jefferson put forth as one of the reasons for the purchase of Louisiana.

I could get no reply from Washington that I could have any reinforcements whatever. I had gone as far as I could get in enlisting the former soldiers of the rebel army to strengthen the regiments I then had. Accordingly I sent a confidential message to Washington saying that if they could not do anything for me by sending troops, I would call on Africa for assistance,— i. e., I would enlist all the colored troops I could from the free negroes.

While I was waiting at Ship Island, the rebel authorities in New Orleans had organized two regiments from the free negroes, called "Native Guards, Colored." When Lovell ran away with his troops these men stayed at home. The rebels had allowed the company officers to be commissioned from colored men; but for the field officers, — colonels, lieutenant-colonels, and majors, and the staff officers,— they were white men.

I found out the names and residences of some twenty of these colored officers, and sent for them to call on me. They came, and a very intelligent looking set of men they were. I asked them if they would like to be organized as part of the United States troops. They unanimously said they would. In all bodies of men there is always a spokesman, and while many of my guests were of a very light shade, that spokesman was a negro nearly as dark as the ace of spades.

"General," he asked, "shall we be officers as we were before?"

"Yes; every one of you who is fit to be an officer shall be, and all the line officers shall be colored men."

"How soon do you want us to be ready?"

"How soon can you give me two regiments of a thousand men each?"

"In ten days."

"But," I said, "I want you to answer me one question. My officers, most of them, believe that negroes won't fight."

"Oh, but we will," came from the whole of them.

"You seem to be an intelligent man," said I, to their spokesman; "answer me this question: I have found out that you know just as well what this war is about as I do, and if the United States succeed in it, it will put an end to slavery." They all looked assent. "Then tell me why some negroes have not in this war struck a good blow somewhere for their freedom? All over the South the men have been conscripted and driven away to the armies, leaving ten negroes in some districts to one white man, and the colored men have simply gone on raising crops and taking care of their women and children."

The man's countenance lighted up. He said: —

"You are General here, and I don't like to answer that question."

"Answer it exactly according as the matter lies in your mind, and I pledge you my honor, whatever the answer may be it shall harm no one of you."

"General, will you permit a question?"

"Yes."

"If we colored men had risen to make war on our masters, would not it have been our duty to ourselves, they being our enemies, to kill the enemy wherever we could find them? and all the white men would have been our enemies to be killed?"

"I don't know but what you are right," said I. "I think that would be a logical necessity of insurrection."

"If the colored men had begun such a war as that, General, which general of the United States army should we have called on to help us fight our battles?"

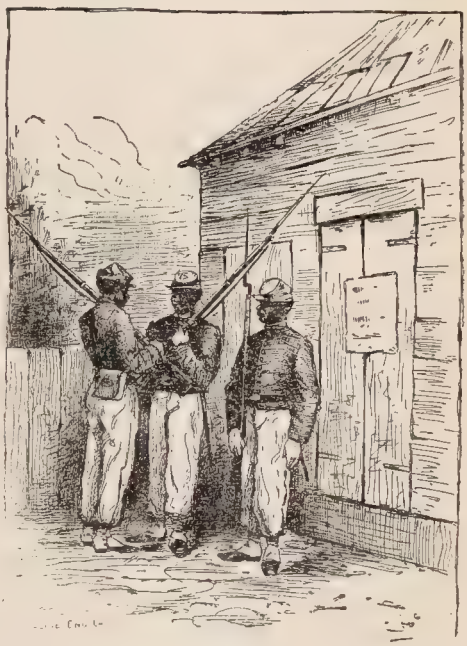
That was unanswerable.

"Well," I said, "why do you think your men will fight?"

"General, we come of a fighting race. Our fathers were brought here slaves because they were captured in war, and in hand to hand fights, too. We are willing to fight. Pardon me, General, but the only cowardly blood we have got in our veins is the white blood."

"Very well," I said, "recruit your men and let them be mustered into the service at"—I mentioned a large public building—"in a fortnight from to-day, at ten o'clock in the morning. Report, and I will meet you there. I will give orders that the building be prepared."

On that morning I went there and saw such a sight as I never saw before: Two thousand men ready to enlist as recruits, and not a man of them who had not a white "biled shirt" on.



CHANGING SENTINELS OF FIRST COLORED TROOPS IN NEW ORLEANS, AUGUST, 1862.

From an Oil Painting.

One regiment was mustered within fourteen days of the call, the first regiment of colored troops ever mustered into the service of the United States during the War of the Rebellion, established and became soldiers of the United States on the 22d day of August, 1862. In a very short time three regiments of infantry and two batteries of artillery were equipped, drilled, and ready for service. Better soldiers never shouldered a musket. They were intelligent, obedient, highly appreciative of their position, and fully maintained its dignity. They easily learned the school of the soldier. I

observed a very remarkable trait about them. They learned to handle arms and to march more readily than the most intelligent white men. My drillmaster could teach a regiment of negroes that much of the art of war sooner than he could have taught the same number of students from Harvard or Yale.

Why? Because the negro was already drilled. The necessity of drills which seem interminable and never-ending to a civilian, is to teach recruits perfect and quick obedience to the word of command of their officer, and to obey that instantly and implicitly, whatever else may be happening to attract attention. Now, from childhood up, the word of command had been implicitly and abjectly obeyed by the negro. His master's voice was his perfect guide.

Again, they were exceedingly imitative. Show them how to handle a musket and at once they imitated the movement as if they feared it might hurt them if they used it any other way. At first, indeed, the negro seemed quite as much afraid of the musket in his own hands as when in the hands of the enemy, but he soon learned to rely upon it as his defence, as was shown afterwards. When in the field, being wounded, if he could bring himself off, however severely injured, he always brought his weapon off.

Again, their ear for time as well as tune was exceedingly apt; and it was wonderful with what accuracy and steadiness a company of negroes would march after a few days' instruction.

Again, white men, in case of sudden danger, seek safety by going apart each for himself. The negroes always cling together for mutual protection.

They instinctively, and without needing so much drilling and experience as did white men, kept their camps neat and in better order.

I afterwards raised in Virginia nearly three thousand negro cavalry. While they could not easily be taught to ride with the dragoon-like precision of position of white men, yet it seemed quite impossible to unhorse them, especially those from plantations. I had occasion to learn this. In drilling them in a charge at full gallop over the rough and uneven plains, sometimes covered by ditches, it was rarely one was unhorsed.

But the prejudice against them among the white officers of the service was at first fearful, especially among the regulars. Now they have become a part of the army of the United States; and as I

write, the Ninth (colored) Cavalry, for good conduct in the field against the Indians, and for high soldierly bearing, are at Fort Myers near Washington, by the order of the War Department, exhibited to all comers as instances of the best qualities of the American cavalry troops.

After I left New Orleans, General Banks enlisted many more of them, but was weak enough to take away from them the great object of their ambition, under the spur of which they were ready to fight to the death, namely, *equality* with the white soldiers. He was also unmanly enough to add injustice to that folly by taking the commissions from their line officers, which I had given them, and to brand their organizations with the stigma of a designation as a "Corps d'Afrique." Yet, in spite of his unwisdom, they did equal service and laid down their lives at Port Hudson in equal numbers comparatively with their white brothers in arms. Of the folly, injustice, and stupidity of this class of prejudice I may speak in describing the events of the campaign of 1864.

I can now give a curious instance of the exhibition of this prejudice by one of the ablest men and best loved members of my staff, a life-long friend of whom I have heretofore spoken and shall hereafter speak in terms of affection, friendship, and admiring regard, Gen. Godfrey Weitzel. For his capacity, conduct, and skill, I had recommended Weitzel for promotion from first lieutenant of engineers to brigadier-general for the purpose of putting him in command of an expedition of the most important character. His great success in that, and his career afterwards during the whole war, fully justified the appointment.

On the 25th of October, I organized an expedition by a brigade composed of five regiments of infantry, two batteries of artillery, and four companies of cavalry. This force was to move up the western bank of the Mississippi and through West Louisiana, for the purpose of capturing and occupying that territory and dispersing the forces assembled there under Gen. Richard Taylor, and then to send a detachment to occupy Galveston. The plan was for Weitzel to go up the river as far as Donaldsonville, capture and fortify that point, move west of Berwick Bay, and, with the aid of the light draught steamers which I had bought or captured, seize all the waters of Southern Louisiana west of New Orleans.

On the same day, I pushed forward from Algiers a column consisting of the Eighth Vermont Volunteers and the First Regiment of Native Guards (colored). They were to proceed along the Opelousas Railroad to Thibodeaux for the purpose of forwarding supplies to Brashear City and General Weitzel's expedition, and to give the loyal planters an opportunity to forward their sugar and cotton to New Orleans. I believed that I could easily hold that portion of Louisiana, by far the richest, and extend the movement so far as to cut off substantially all supplies from Texas to the enemy the coming winter by this route, especially if I should receive early reinforcements.

The expedition from Algiers was commanded by Col. Stephen Thomas, of Vermont. No better or braver officer was there in my command to my knowledge.

Weitzel landed at Donaldsonville on Sunday, October 26. He soon found the enemy in force, and a sharp engagement ensued in which sixteen men and one officer were killed and seventy-three men wounded. The enemy suffered largely: their commanding officer, Colonel McPheeters, was killed; a large number of men were killed and wounded, and two hundred and sixty prisoners and one piece of artillery were captured.

I afterwards sent forward to aid Colonel Thomas in opening the railroad, the Second Regiment of Native Guards (colored), under command of Colonel Stafford. Colonel Thomas, aided by the untiring labors of the colored troops, opened the Opelousas Railroad, rebuilt burned bridges, routed the enemy, and then was ordered to report to Weitzel and form a portion of his force.

On the 1st of November I received a report from General Weitzel that everything had been done which he had been ordered to do; that the Native Guards had opened and picketed the Opelousas Railroad; and on the 2d he reported "the country as safe to travel now as Canal Street." But on the 5th of November I received a very surprising despatch from Weitzel, from which I quote: —

. . . And now I desire, most respectfully, to decline the command of the district which has just been created, and which, as we have not yet secured a foot of ground on the Teche, ought properly to be called the District of La Fourche. The reason I must decline is because accepting the command would place me in command of all the troops in the district.

I cannot command those negro regiments. The commanding general knows well my private opinions on this subject. What I stated to him privately, while on his staff, I see now before my eyes. Since the arrival of the negro regiments symptoms of servile insurrection are becoming apparent. I could not, without breaking my brigade all up, put a force in every part of this district to keep down such an insurrection. I cannot assume the command of such a force, and thus be responsible for its conduct. I have no confidence in the organization. Its moral effect in this community, which is stripped of nearly all its able-bodied men and will be stripped of a great many of its arms, is terrible. Women and children, and even men, are in terror. It is heart-rending, and I cannot make myself responsible for it. I will gladly go anywhere with my own brigade that you see fit to order me. I beg you therefore to keep the negro brigade directly under your own command or place some one over both mine and it.

He made a further communication: —

In still further confirmation of what I wrote to you in my despatches of this morning relative to servile insurrection, I have the honor to inform you that on the plantation of Mr. David Pugh, a short distance above here, the negroes who have returned under the terms fixed upon by Major-General Butler, without provocation or cause of any kind, refused this morning to work, and assaulted the overseer and Mr. Pugh, injuring them severely, also a gentleman who came to the assistance of Mr. Pugh. Upon the plantation also of Mr. W. J. Miner, on the Terre Bonne road, about sixteen miles from here, an outbreak has already occurred, and the entire community thereabout are in hourly expectation and terror of a general rising.

I am, sir, very respectfully, your obedient servant,

G. Weitzel,

*Brigadier-General U. S. Vols., Comdg. Reserve Brigade.*

Maj. George C. Strong,

*Asst. Adjt.-Gen., Dept. of the Gulf, New Orleans, La.*

My surprise may not be imagined when I received these reports from Weitzel, especially that one in which he declared he would not obey my orders to command colored troops.

It will be observed that he states in justification of it only two reports of negroes quarrelling with their masters to whom they had

been returned, in one case the overseer and the master being injured in the difficulty and the other case being a mere rumor. Not a word as to any misconduct of a single colored soldier.

With a bleeding heart lest Weitzel might still be so far misled as to disobey my orders, after reasoning with him upon his conduct, I wrote an order leaving him no option but to obey it — which he did — as follows: —

You say that in these organizations you have no confidence. As your reading must have made you aware, General Jackson entertained a different opinion upon that subject. It was arranged between the commanding general and yourself, that the colored regiments should be employed in guarding the railroad. You don't complain, in your report, that they either failed in this duty, or that they have acted otherwise than correctly and obediently to the commands of their officers, or that they have committed any outrage or pillage upon the inhabitants. The general was aware of your opinion, that colored men will not fight. You have failed to show, by the conduct of these free men, so far, anything to sustain that opinion. And the general cannot see why you should decline the command, especially as you express a willingness to go forward to meet the only organized enemy with your brigade alone, without further support. The commanding general cannot see how the fact that they are guarding your line of communication by railroad, can weaken your defence. He must, therefore, look to the other reasons stated by you, for an explanation of your declining the command.

You say that since the arrival of the negro regiment you have seen symptoms of a servile insurrection. But, as the only regiment that arrived there got there as soon as your own command, of course the appearance of such symptoms is since their arrival.

Have you not mistaken the cause? Is it the arrival of a negro regiment, or is it the arrival of United States troops, carrying by the act of Congress freedom to this servile race? Did you expect to march into that country, drained, as you say it is, by conscription of all its able-bodied white men, without leaving the negroes free to show symptoms of servile insurrection? Does not this state of things arise from the very fact of war itself? You are in a country where now the negroes outnumber the whites ten to one, and these whites are in rebellion against the government, or in terror seeking its protection. Upon reflection, can you doubt that the same state of things would have arisen without the presence of a colored regiment? Did you not see symptoms of the same things

upon the plantations here upon our arrival, although under much less favorable circumstances for revolt?

You say that the prospect of such an insurrection is heart-rending, and that you cannot be responsible for it. The responsibility rests upon those who have begun and carried out this war, and who have stopped at no barbarity, at no act of outrage, upon the citizens and soldiers of the United States. You have forwarded me the records of a pretended court-martial, showing that seven men of one of your regiments, who enlisted here in the Eighth Vermont, who had surrendered themselves prisoners of war, were in cold blood murdered, and, as certain information shows me, required to dig their own graves! You are asked if this is not an occurrence as heart-rending as a prospective servile insurrection.

The question is now to be met, whether in a hostile, rebellious part of the State where these very murders have been committed by the militia, you are to stop in the operations of the field to put down servile insurrection, because the men and women are terror-stricken? Whenever was it heard before that a victorious general, in an unsurrendered province, stopped in his course for the purpose of preventing the rebellious inhabitants of that province from destroying each other, or refuse to take command of a conquered province lest he should be made responsible for their self-destruction?

As a military question, perhaps, the more terror-stricken the inhabitants are that are left in your rear, the more safe will be your lines of communication. You say there have appeared before your eyes the very facts, in terror-stricken women and children and men, which you had before contemplated in theory. Grant it. But is not the remedy to be found in the surrender of the neighbors, fathers, brothers, and sons of the terror-stricken women and children, who are now in arms against the government within twenty miles of you? And, when that is done, and you have no longer to fear from these organized forces, and they have returned peaceably to their homes, you will be able to use the full power of your troops to insure your safety from the so-much-feared (by them, not by you) servile insurrection.

If you desire, you can send a flag of truce to the commander of these forces, embracing these views, and placing upon him the responsibility which belongs to him. Even that course will not remove it from you, for upon you it has never rested. Say to them, that if all armed opposition to the authority of the United States shall cease in Louisiana, on the west bank of the river, you are authorized by the commanding general to say, that the same protection against negro or other violence will be

afforded that part of Louisiana, that has been in the part already in the possession of the United States. If that is refused, whatever may ensue is upon them, and not upon you or upon the United States. You will have done all that is required of a brave, humane man, to avert from these deluded people the horrible consequences of their insane war upon the government. . . .

Consider this case. General Bragg is at liberty to ravage the houses of our brethren of Kentucky because the Union army of Louisiana is protecting his wife and his home against his negroes. Without that protection he would have to come back to take care of his wife, his home, and his negroes. It is understood that Mrs. Bragg is one of the terrified women of whom you speak in your report.

This subject is not for the first time under the consideration of the commanding general. When in command of the Department of Annapolis, in May, 1861, he was asked to protect a community against the consequences of a servile insurrection. He replied, that when that community laid down its arms and called upon him for protection, he would give it, because from that moment between them and him war would cease. The same principle initiated there will govern his and your actions now; and you will afford such protection as soon as the community through its organized rulers shall ask it.

. . . In the meantime, these colored regiments of free men, raised by the authority of the President, and approved by him as the commander-in-chief of the army, must be commanded by the officers of the Army of the United States, like any other regiments.

About thirty days after, when I was relieved from command in New Orleans, I left General Weitzel in full command of the richest portion of Louisiana, having the crops gathered, housed, and taken charge of for the benefit of whomever it might concern, by the commission relating to confiscated property, the action of which I have before set forth.

Afterwards I procured the appointment of Weitzel as major-general under my command in the Department of Virginia, in 1864, and he had the singular felicity of marching from my old headquarters his Twenty-Fifth Corps, composed wholly of colored troops, into Richmond when Lee evacuated it, and of holding it in their possession, the black above the white, to receive the first visit of Abraham Lincoln, President of the United States, to the captured rebel capital. His flag was raised by a negro.

Early in July, 1862, I was informed that the enemy were attempting to so fortify Manchac Pass as to protect the trestle-work of the railroad passing through it, in order to afford them communication in the rear of the city. Thereupon I ordered Lieutenant-Colonel Kimball of the Twelfth Maine Volunteers to take a small portion of his regiment with the gunboat New London and make an attack on the rebel forces there. It was done. The rebels were driven from their battery by assault, and followed far up into the country. Their works were all destroyed; their bridge they had to burn behind them, and their guns were captured and brought away with a very considerable loss. Their colors were captured, and I recommended to the War Department that the regiment be allowed to retain the captured colors as a mark of its commendation of their valor, which was done, as set forth in the following General Order: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, July 24, 1862.

General Order No. 51.

The commanding general of this department takes pleasure in publishing the following indorsement from Washington of what he has considered the useful services of Lieutenant-Colonel Kimball, of the Twelfth Regiment of Maine Volunteers, and the troops under his command:

The news of the brilliant achievement of Lieutenant-Colonel Kimball of the Twelfth Maine Volunteers, and the brave men under his command, at Manchac Pass, was very gratifying to the Department, and it entirely approves your action in allowing the regiment to retain the colors which they had so gallantly taken from the enemy.

By command of

MAJOR-GENERAL BUTLER.

R. S. DAVIS, *Captain and A. A. A. G.*

I have now set out, I believe, all the military movements of the Army of the Gulf under my command. In none were we unsuccessful, in none did we lose any considerable number of men. We lost fewer men by disease than any other army in any field, although we were in the hotbed of poisonous malaria and death. In every exigency of the government of the people

we met with no disaster; and the whole that was done, I cannot better sum up than I did in my farewell address to my comrades in arms: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, Dec. 15, 1862.

General Order No. 106.

SOLDIERS OF THE ARMY OF THE GULF: —

Relieved from further duties in this department by direction of the President, under the date of Nov. 9, 1862, I take leave of you by this final order, it being impossible to visit your scattered outposts, covering hundreds of miles of the frontier of a larger territory than some kingdoms of Europe.

I greet you, my brave comrades, and say farewell!

This word, endeared as you are by a community of privations, hardships, dangers, victories, successes, military and civil, is the only sorrowful thought I have.

You have deserved well of your country. Without a murmur you sustained an encampment on a sand bar, so desolate that banishment to it, with every care and comfort possible, has been the most dreaded punishment inflicted upon your bitterest and most insulting enemies.

You had so little transportation, that but a handful could advance to compel submission by the Queen City of the Rebellion, whilst others waded breast-deep in the marshes which surround St. Philip, and forced the surrender of a fort deemed impregnable to land attack by the most skilful engineers of your country and her enemy.

At your occupation, order, law, quiet, and peace sprang to this city, filled with the bravos of all nations, where for a score of years, during the profoundest peace, human life was scarcely safe at noon-day.

By your discipline you illustrated the best traits of the American soldier, and enchained the admiration of those that came to scoff.

Landing with a military chest containing but seventy-five dollars, from the hoards of a rebel government you have given to your country's treasury nearly a half million of dollars, and so supplied yourselves with the needs of your service that your expedition has cost your government *less by four fifths than any other.*

You have fed the starving poor, the wives and children of your enemies, so converting enemies into friends, that they have sent their representatives to your Congress, by a vote greater than your entire numbers, from districts in which, when you entered, you were tauntingly told that there was "no one to raise your flag."

By your practical philanthropy you have won the confidence of the "oppressed race" and the slave. Hailing you as deliverers, they are

ready to aid you as willing servants, faithful laborers, or, using the tactics taught them by your enemies, to fight with you in the field.

By steady attention to the laws of health, you have stayed the pestilence, and, humble instruments in the hands of God, you have demonstrated the necessity that His creatures should obey His laws, and, reaping His blessing in this most unhealthy climate, you have preserved your ranks fuller than those of any other battalions of the same length of service.

You have met double numbers of the enemy, and defeated him in the open field; but I need not further enlarge on this topic. You were sent here to do that.

I commend you to your commander. You are worthy of his love. Farewell, my comrades! again farewell!

BENJ. F. BUTLER,

*Major-General Commanding.*

The true history of the Army of the Gulf as set forth in the above order has now been published for more than twenty-eight years, and never has been questioned either by friends or foes.



## CHAPTER XII.

### ADMINISTRATION OF FINANCES, POLITICS, AND JUSTICE.—RECALL.

ONE of the most important matters which pressed upon me immediately after my occupation of the city was the condition of the currency. It was absolutely necessary for the successful administration of my department in New Orleans that I should at once make an *imperium in imperio*, in which somebody must assume the role of "secretary of the treasury." Who should it be but the general commanding?

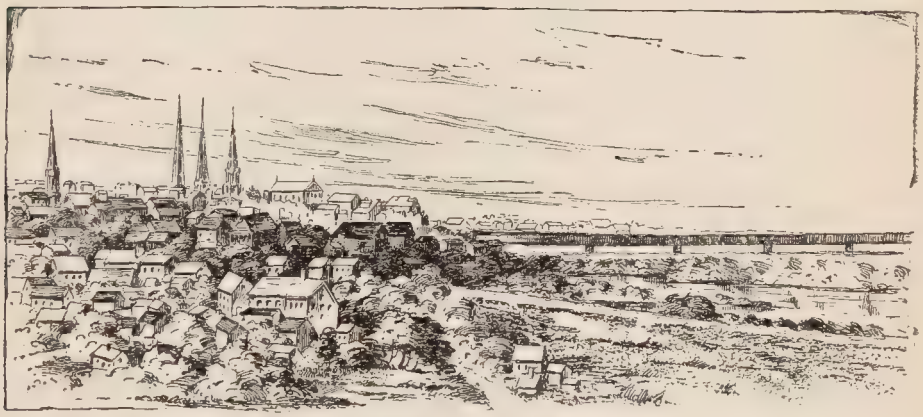
Both before the war and after it began the banks of New Orleans had been conducted upon an exceedingly conservative basis. They were very strong. They had never, in any troublesome times, suspended specie payments, and after the outbreak of the war, when Confederate treasury notes became the money of the treasury, the banks of New Orleans refused to receive them or pay them out as money.

A contest followed between the Confederate treasury and the banks. It lasted until September, 1861, when the banks succumbed to the harsh measures of the Richmond government and began to deal in Confederate notes, receiving and paying them at the counter as money. The consequence of this was that they accumulated a large quantity of gold, and many of them, especially the Citizens' Bank, placed abroad large amounts of gold in exchange. Besides this, the banks had something rising thirteen millions of dollars in gold or silver in their vaults when the bombardment of the forts began.

After Farragut came before the city, the banks disposed of about six and one half millions of their specie by sending it up the river into the Confederacy. They called in all their bills possible, and paid out and received nothing but Confederate money.

By my proclamation, as previously shown, I had promised protection inviolate to all private property except so far as it became necessary to take it for public use under the laws of the United States.

Nothing could be done in New Orleans before I got there without the aid of the negroes, and as soon as I came, the negroes came and told me everything they had done, and always truthfully. They told me where one banker had built up in the walls of his house a vault containing fifty thousand dollars. They told me whereto outside money had been sent; that the Dutch consul had eight hundred thousand Mexican dollars concealed in his consulate; that the French consul had some three or four millions in his; that some of



RICHMOND, VA., IN 1861.

From a Sketch.

the banks had concealed large sums of money behind the altars of the churches and in the tombs.

This left the currency of the people in the most horrible condition. Omnibus tickets, car tickets, drinking-house shinplasters and Confederate notes, — the latter depreciated some seventy per cent. by the capture of New Orleans, — were the only mediums of exchange of products. Of course it was my duty to stop the circulation of Confederate notes and money, because that circulation gave credit to the Confederacy to whatever amount was circulated.

In my first interview with the city government I yielded to the entreaties of the people and the representations of Mr. Soulé of the great distress I should bring upon poor people if I forbade the

use of Confederate currency, because without it they would have no means of transacting business or buying things. Such was the state of distress that a gentleman who bought a cup of coffee at the French market and paid down a dollar, received for change — all that he could get, — nineteen car tickets. I stated, however, that my order permitting the circulation of Confederate money would be only temporary.

The presidents of some of the banks called upon me to know if my proclamation holding free from confiscation the gold and silver of banks, would be carried out by myself and forces. I told them that gold and silver were private property, and were to be held inviolate like any other private property under my proclamation.

"But," I said, "the private property must be in the hands of its owners and held in the usual course of business. If it is concealed, hid away so that it cannot be in public or private use, I shall hold that that is not within my proclamation. Therefore, you gentlemen who have got your gold concealed behind the altars, in the tombs, or elsewhere, better get it back into your vaults. There it will be safe. If I find it elsewhere I shall not recognize it as your property. But I now give you an opportunity to get it, and when you do get it, certify to me that you have it, and the amount of it."

They did go and get it. The getting of it became known, and it was published that I was searching among the tombstones and altars for money.

I told them further that I should hold it to be their duty to use that property and go on with their business of banking, holding the specie as security for their bills so that there could be a currency for use in the city. I was then asked by the bankers if they could get back the specie they had sent off, and was requested to grant safe conduct of the same to the city. I told them that I certainly would give a safe conduct for bringing it back. But the rebels, however, had already seized all of it they could get.

The cashier of one bank asked a safe conduct to go up on one of the boats which went to the Red River for provisions. He did not give me to understand what he was going to do. What he did do was to go up and get three hundred and fifty thousand dollars of the gold of his bank and bring it down packed in barrels of beef.

I ascertained that all but three banks had gold enough with which to redeem every bill that they had issued which was then in circulation in New Orleans. One of the banks, the one whose money was up Red River, was made good by bringing that back. Notwithstanding this, the banks endeavored to make money by redeeming their bills in Confederate money. I accordingly issued, on the 16th of May, the following General Order No. 29: —

NEW ORLEANS, May 16, 1862.

I. It is hereby ordered that neither the city of New Orleans, nor the banks thereof, exchange their notes, bills, or obligations for Confederate notes, bills, or bonds, nor issue any bill, note, or obligation payable in Confederate notes.

II. On the 27th day of May inst., all circulation of, or trade in, Confederate notes and bills will cease within this department; and all sales or transfers of property made on or after that day, in consideration of such notes or bills, directly or indirectly, will be void and the property confiscated to the United States, one fourth thereof to go to the informer.

Now, the banks had very large amounts of Confederate notes, which they had received as money on deposit at its gold value, and the question was: On whom is this great loss by the depreciation of Confederate notes to fall? The banks at once took measures that the loss should fall upon the people; they issued a series of notices, in various forms, by which people were notified that they must draw all balances of accounts they had in the banks, before the 27th of May, the date on which the Confederate notes would be no longer of any exchangeable value in the market. I thought it was my duty to interfere with such performances and make the banks bear the loss. Thereupon I issued the following General Order No. 30: —

NEW ORLEANS, May 19, 1862.

It is represented to the commanding general that great distress, privation, suffering, hunger, and even starvation has been brought upon the people of New Orleans and vicinage by the course taken by the banks and dealers in currency.

He has been urged to take measures to provide, as far as may be, for the relief of the citizens, so that the loss may fall, in part, at least, on those who have caused and ought to bear it.

The general sees with regret that the banks and bankers causelessly suspended specie payments in September last, in contravention of the laws of the State and of the United States. Having done so, they introduced Confederate notes as currency, which they bought at a discount, in place of their own bills, receiving them on deposit, paying them out for their discounts, and collecting their customers' notes and drafts in them as money, sometimes even against their will, thus giving these notes credit and a wide general circulation, so that they were substituted in the hands of the middling men, the poor and unwary, as currency, in place of that provided by the Constitution and laws of the country, or of any valuable equivalent.

The banks and bankers now endeavor to take advantage of the re-establishment of the authority of the United States here, to throw the depreciation and loss from this worthless stuff of their creation and fostering upon their creditors, depositors, and bill-holders.

They refuse to receive these bills while they pay them over their counters.

They require their depositors to take them.

They change the obligation of contracts by stamping their bills, "redeemable in Confederate notes."

They have invested the savings of labor and the pittance of the widow in this paper.

They sent away or hid their specie, so that the people could have nothing but these notes (which they now depreciate) with which to buy bread.

All other property has become nearly valueless from the calamities of this iniquitous and unjust war, begun by rebellious guns turned on the flag of our prosperous and happy country floating over Fort Sumter. Saved from the general ruin by the system of financiering, bank stocks alone are now selling at great premiums in the market, while the stockholders have received large dividends.

To equalize, as far as may be, this general loss; to have it fall, at least in part, where it ought to lie; to enable the people of this city and vicinage to have a currency which shall at least be a semblance to that which the wisdom of the Constitution provides for all citizens of the United States, it is therefore ordered: —

I. That the several incorporated banks pay out no more Confederate notes to their depositors or creditors, but that all deposits be paid in the bills of the bank, United States treasury notes, gold or silver.

II. That all private bankers, receiving deposits, pay out to their depositors only the current bills of city banks, or United States treasury notes, gold or silver.

III. That the savings banks pay to their depositors or creditors only gold, silver, or United States treasury notes, current bills of city banks, or their own bills, to an amount not exceeding one third of their deposits, and of denomination not less than one dollar, which they are authorized to issue, and for the redemption of which their assets shall be held liable.

IV. The incorporated banks are authorized to issue bills of a less denomination than five dollars, but not less than one dollar, anything in their charters to the contrary notwithstanding, and are authorized to receive Confederate notes for any of their bills until the 27th of May inst.

V. That all persons and firms having used small notes or "shinplasters," so called, are required to redeem them on presentation at their places of business, between the hours of 9 A. M. and 3 P. M., either in gold, silver, United States treasury notes, or current bills of city banks, under penalty of confiscation of their property and sale thereof, for the purpose of redemption of the notes so issued, or imprisonment for a term of hard labor.

VI. Private bankers may issue notes of denominations not less than one nor more than ten dollars, to two thirds of the amount of specie which they show to a commissioner appointed from these headquarters, in their vaults actually kept there for the purpose of redemption of such notes.

The effect of that order upon the people was marvellous. The whole commercial and trading community was at once relieved. The reaction was visible and an air of cheerfulness and hope was noticeable everywhere. Business resumed its channels and trade was generally reopened. One gentleman, a strong secessionist, said to a member of my staff that that order was equal to a reinforcement of twenty thousand men to the army of New Orleans.

The influence of that order and my action in regard to feeding the poor and cleaning the streets of the city and other just measures of the administration, Union people said, would have caused a general manifestation of Union sentiments in New Orleans during that summer, save that the continual bad news from the army of McClellan on the peninsula made them afraid that the Union control of New Orleans would be short; and that view of the war was fostered continually by telegrams from Richmond giving the most glorious accounts of the destruction of McClellan's army. The rebels had telegraphic communication from Richmond to a point within forty miles of the city on the opposite side of Lake Pontchartrain, and

thence by the use of fishing-boats, spies, and secret communications, generally known as the "grapevine telegraph," the news came to the rebels. To me, no authentic information came from Washington or the North under fifteen days, and newspapers were eight and ten days old when I received them.

On the 25th of June a despatch came from Richmond "via grapevine," which was believed by all the secessionists, that McClellan with forty thousand men had been captured and carried into Richmond. Shortly afterwards another despatch came, reporting that Washington had been taken and that an officer of the New Orleans Washington Artillery had raised the Confederate flag on the Capitol.

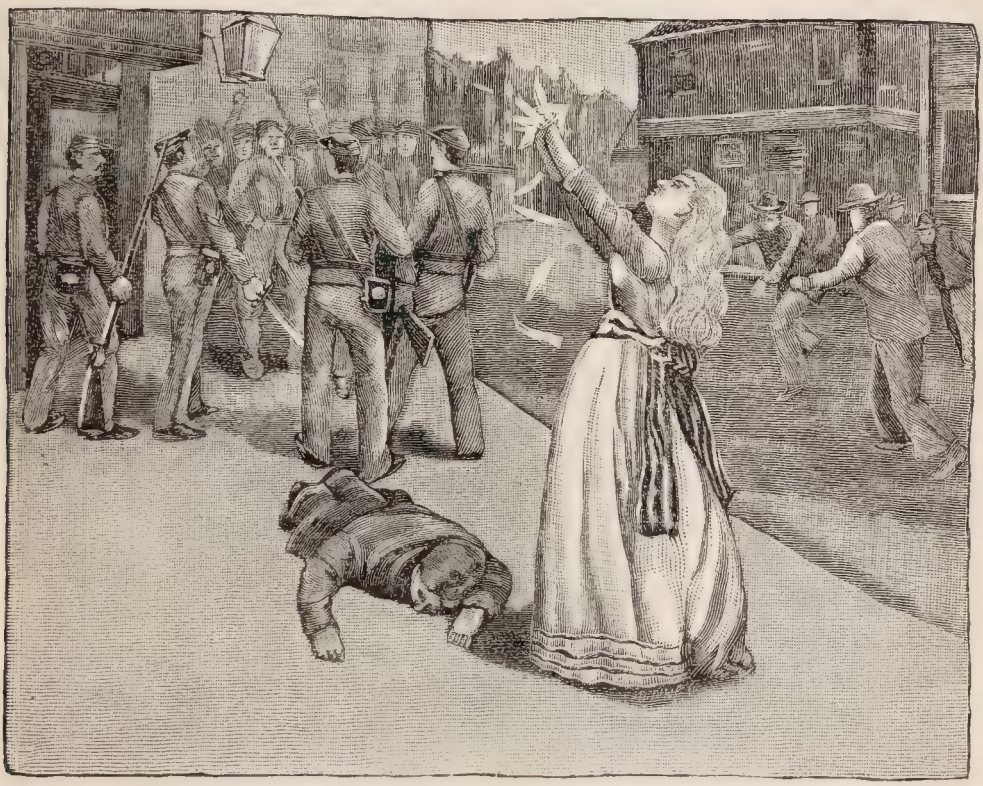
These sensational despatches were hardly worse than some which were authentic, as far as I could understand the campaign on the peninsula. Having commanded there, I knew the situation well. The fact that the Army of the Potomac, the great army on which the safety of the republic almost depended, was waiting around Yorktown in the swamp, attacking it with spades and shovels in schoolboy engineer fashion, while the Confederates were concentrating all their forces for the defence of Richmond, left me substantially without hope.

Although Confederate treasury notes under the order could not be paid out for any property, or pass from hand to hand as currency, yet they might be traded in by curbstone brokers. These were principally Jews, and as Benjamin, the Confederate Secretary of State, was a Jew, and his brother-in-law was a broker, I supposed there were some of the Jew brokers who would get true intelligence from Richmond. So, when these reports came, of which I could get no verification for weeks, I ascertained their truth by having a secret service man report whether the Jews were buying or selling Confederate notes. If they were buying when these reports of great successes came in, then something substantial had happened in favor of the Confederacy; if they were selling, then the reports were simply false and for the purpose of "bulling" Confederate notes in the market.

The speculators were very anxious to learn whether I believed the reports and they supposed that that would be shown by an exhibition of my fears, so that all sorts of tentative experiments were made on me.

When the report came that McClellan had been captured, I happened to be at Baton Rouge. Upon its reception there was, as nearly as by any possibility there could be, an attempt to start a riot in New Orleans.

One man, a German bookseller, displayed in his windows a skeleton with a large label, "Chickahominy," on it, and told my soldiers who inquired about it that it was a Yankee skeleton from Chickahominy.



ARREST OF MRS. LARUE AT NEW ORLEANS.

One Andrew, a cousin of my friend the Governor of Massachusetts, a high-toned gentleman (?), presented himself in the Louisiana Club with a breast-pin constructed of a thigh-bone of a Yankee killed on the Chickahominy, as he said.

A young woman, blonde and blue-eyed, wearing flowing silken curls and Confederate colors, white and red, was sent down St. Charles Street, at high noon, with a quantity of handbills containing the particulars of the capture of McClellan. She was followed by

a small crowd. A police officer attempted to arrest her for exciting a tumult in the streets. A man rushed out of a shoe store and shot the police officer. She called loudly and dramatically for rescue and protection. Some of my provost guard appeared on the scene, a sergeant laid about himself with his sword vigorously, and a hundred persons cried "Murder!" The woman was put into a cab and carried to the guardhouse.

Among the many things I found on my table the next morning were these cases to be dealt with. I knew at once the purpose of such performances, and I called the woman before me. A man appeared who claimed to be her husband, and I proceeded to a hearing. I asked her what she distributed those handbills for, wearing Confederate colors, and if she didn't put them on and go down street purposely. She said she did; "she felt very patriotic that day."

"Well," I said, "then I think your patriotism better be exhibited somewhere else, and I will send you to Ship Island to be confined there two years."

Her husband then interposed and said she was his wife.

"Well," I said, "why didn't you take care of her and prevent her from getting up a riot in the street?"

"I couldn't, General."

"Well, you see I can."

"It is a very tyrannical order."

"Ah, who are you?"

"John H. Larue."

"And what is your occupation?"

"I am a sporting man, sir; I play cards for a living."

"Ah, in my country such men are classed as vagrants, having no visible means of support, and we send such men to the House of Correction for six months as vagrants. I will send you to the Parish Prison for three."

Next came Mr. Andrew.

"You are charged with having exhibited a breast-pin in the Louisiana Club, claiming that it was made of the thigh-bone of a Yankee killed on the Chickahominy. Did you exhibit such a breast-pin?"

"Yes, sir; I was wearing it."

"Did you say that it was made of the thigh-bone of a Yankee?"

"Yes; but that was not true, General."

"Then you added lying to your other accomplishments in trying to disgrace the army of your country. I will sentence you to hard labor on Ship Island for two years, and you will be removed in execution of this sentence."

Then came Fidel Keller, who had exhibited what he called the skeleton of a "Chickahominy" Yankee and lied when he did so, and he was given the same term of hard labor, two years. All these sentences, as were all general and special orders of interest to the people of New Orleans, were published the next day in the *Delta* newspaper, which having been printed in the interest of secession, I had come to the conclusion should now be published in the interest of the United States.

By my proclamation I had made every owner of a building liable to have his building pulled down if any shot was fired at my soldiers from it. Therefore, I sent for the occupant of the shoe store from which, I was informed, the shot came, and for the owner of the building. I said to the owner: —

"Sir, a police officer was wounded by a shot fired from your building during an attempt to get up a riot a day or two ago. Show cause why the building should not come down."

"General," he said, "the shot was not fired from my building."

"Show that fact," I answered, "and your building is safe."

"Here is my tenant, the owner of the shoe store from which the man rushed into the street and fired the shot."

"Is this true?" I said, turning to the shop owner.

"Yes, General; the man rushed out and was on the sidewalk when he fired the shot; I saw him."

"Do you know who he was?"

"Yes; I know the man."

"Do you know his name?"

"Yes, General."

"Who was he?"

"I sha'n't tell."

"Very well, sir," turning to the owner of the building, "your building is safe. But, Mr. Provost Marshal, put up a red flag and sell out the contents of this man's store at public auction to-morrow

morning at eleven o'clock, and advertise in the *Delta;* have the proceeds of the sale turned over to the Civil Fund."

"But," said the owner, "I will tell the name of the man."

"But you have chosen not to tell, and he has probably run away. I am going to punish somebody that had a hand in this thing."

The shop was seized, its contents sold, and the money turned over.

It is needless to say that the next morning New Orleans resumed its former quiet, feeling that the commanding general at least was not frightened by these reports and apparently intended to stay there long enough to have the two years sentences worked out.

Indeed, I was certain the reports were not true, because my curbstone cash barometer said so. In the face of this report, that the Rebellion had conquered, I found the tribe of Benjamin, the Jewish Secretary of State, were all selling, and not buying, Confederate notes.

I ordered weekly reports of the condition of the banks, and I was so certain of their solvency that I made the Citizens' Bank the place of deposit for all the funds that passed through my office, and used its bills in the payment of all transactions.

Meanwhile my troops had been left unpaid, some of them since the time they had left the North. That was not the worst of it: a paymaster had been sent down to pay, but he had not money enough to go around and he did not get his requisitions answered. Therefore the troops, a part being paid and the remainder not paid, were, as they might well be, almost in a state of insurrection. More than that, Farragut's fleet had not been paid at all, although if any men on earth deserved their pay it was his crew. Neither officers nor soldiers had had a dollar for the purchase of anything.

These new duties of the "secretary of the treasury" of my *imperium* must be performed. The admiral called upon me, explaining the destitution of the fleet. He said that he could get no answer from the Navy Department to his requisitions, and asked me, in his candid simplicity of character, to write to Washington, thinking that I might be more potent with the authorities there than he.

"My letter upon such a subject would be simply referred to the Secretary of the Navy, so your matter wouldn't go along any faster on that account. How much money do you want, Admiral?"

He said he needed fifty thousand dollars in gold.

"Well, I have six or seven millions of gold subject to my order; it is hard if this necessity of yours cannot be relieved. Tell your purser to draw on me for fifty thousand dollars and you endorse the draft for the payment of your crew, and I will answer the requisition."

"But," said the admiral, "I can never pay this money, General."

"Never you mind that, Admiral; I never expect you will; but it will be a voucher to me when I am called upon to settle my accounts with the Treasury Department that the money has gone for public service."

The troops were being paid in greenbacks, and that made a difficulty because there were no greenbacks in New Orleans with which to pay them. The "secretary of the treasury" of my *imperium* was puzzled what to do, but at last he devised this financial expedient: The troops who were paid sent home to their families by Adams Express a very considerable part of the sums received, and the oldest troops were paid first, in greenbacks brought by the paymaster when he came. Now, if we could get those greenbacks which were to be sent back by express, we could get enough to pay the remaining troops. Therefore, I made an arrangement with the Adams Express Company that they should return to my paymaster all the greenbacks that the troops gave them to be sent home to New York and Boston, and that they were to answer for the amount as if the greenbacks had been carried there; and I gave them my personal draft for the amount. The arrangement was beneficial to the express company, because if the troops could not get their pay then, they could not send anything home, and the express company could not make its profit. So we kept using those greenbacks in paying, over and over, until all my troops were paid. The drafts were answered, and the express company was reimbursed.

No other such correspondence was ever had by a commanding general acting as his own secretary of the treasury, showing transactions by which crews of a fleet and soldiers could be paid where they had been left without pay. This condition of affairs was

owing in this case to the incompetency or carelessness of the Pay Department and perhaps in part to the inability of the national treasury to meet the demands. I take leave to insert the correspondence: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, July 2, 1862.

MR. ASA S. BLAKE, AGENT ADAMS EXPRESS COMPANY:

*Sir:* — I hereby order you to furnish me with the sum of $25,000 at the earliest possible moment, for which amount I propose to give you a check on the Assistant Treasurer of the United States at New York; this in accordance with the terms proposed to you at our last interview, and I shall hold you for the above amount, as heretofore stated.

Respectfully yours,

BENJ. F. BUTLER,
*Major-General Commanding.*[1]

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, July 3, 1862.

W. B. DINSMORE, ESQ., PRESIDENT ADAMS EXPRESS COMPANY:

*Dear Sir:* — I have this day compelled Mr. A. S. Blake, your agent, of this city, to furnish me with the sum of $25,000, for which amount I have handed him a check drawn upon the Assistant Treasurer of the United States at New York. He has strongly resisted me in the matter, not wishing to deviate from his instructions and the rules of your company.

Knowing, however, that the matter as proposed and insisted upon by me will not conflict in any way with your interest, and as "necessity knows no law," I have taken such steps in this affair as the occasion and the wants of my troops demand.

Respectfully,

BENJ. F. BUTLER,
*Major-General Commanding.*[2]

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, LA., July 2, 1862.

HON. SALMON P. CHASE, SECRETARY OF THE TREASURY:

*Sir:* — Will be found inclosed herewith minutes of the doings of a commission to inquire into the seizure of the specie of Samuel Smith & Co. The finding is that the case should be sent to the department for

[1] War Records, Vol. XV., p. 514.

[2] War Records, Vol. XV., p. 514.

investigation. I should have sent the specie ($50,000) to you, but this remarkable state of things exists: —

Two paymasters came down here with $285,000, too little money to pay the troops of this department, some of whom have not been paid for six months, and they and their families are suffering for their just dues, which, for the inefficiency of the Pay Department in not making proper requisitions, has not been furnished them. I shall, therefore, appropriate this $50,000 toward the payment of the troops left unpaid, one of which is a Western regiment not paid since December, and one a Maine one not paid since October.

I shall borrow of one of the banks here $50,000 more in gold (I cannot get treasury notes) upon my own credit and pledging the faith of the government. This I have promised shall be returned in gold in sixty days, with interest, at the rate of six per cent. per annum, and trust that pledge will be made good, or I shall have to suffer the loss.

I shall also obtain from Adams & Co. here $50,000 in Treasury notes, or thereabout, and by leaving the allotments unpaid here, but to be paid in New York, I shall be able to have the payment completed; but this only pays the March and April payment, leaving two months still due. May I ask, therefore, that my draft of $25,000 in favor of Adams & Co. be honored, and a future draft, not exceeding in all $50,000, be honored at sight? So that Adams & Co. can send forward remittances to the soldiers' wives, which have been used here to pay others, and that $50,000 in gold be sent me to repay that which I have borrowed.

I would not let my soldiers go longer unpaid. It was injuring the credit of the government with our foes, and breeding sickness and discontent among my men.

Trusting that this action will meet approval in the emergency, I am,

Most truly yours,

BENJ. F. BUTLER,

*Major-General Commanding.*[1]

My "secretary of the treasury" so managed his financial affairs that the very large and extraordinary expenditure for feeding the city and cleaning it and employing the idle men so they might feed themselves and their families, cost the United States not a dollar; and the Secretary of the Treasury of the United States, when he acknowledged my return of twenty-five thousand dollars in gold

[1] War Records, Vol. XV., p. 513.

which had been sent to my commissary as an advance, said: "You are the cheapest general we have employed."

When I was relieved by General Banks, all this work was thrown upon him, and he complained bitterly about it as not belonging to the military department. He found himself immediately embarrassed by the action of the civil officers he brought with him, especially the officers of the courts. He also found, I have heard, very soon the necessity of a "secretary of the treasury," because Mr. Denegre, president of the Citizens' Bank, called upon General Banks and asked him if there was any objection to the banks redeeming their circulation, as they had gold enough to do it. Banks asked him if he wanted to redeem his bills with specie, why he did not so do. Denegre answered: "Because General Butler ordered the suspension of specie payments." "Why did he do that?" "I don't know," said Denegre; "the General didn't give reasons for his orders." Permission was given the banks to redeem, and they did; and soon there was no longer any money in circulation with which the commercial, trading, and even huckstering business in New Orleans could be done.

Another financial measure was called to my attention as my "secretary of the treasury." I had ordered that all the property of the Confederate States and its officers should be turned over to my government. As we have seen, by an act of their congress, all the debts of citizens of the Confederacy to Northern men had been confiscated to carry on the war. Receivers had been appointed to collect them, and legal process was provided for that purpose. The Citizens' Bank of New Orleans was made the depository of these receivers as well as of the Confederate government.

When the bank returns came in, several questions arose which I can set forth no better than was done in my answer to the return of that bank, June 13, 1862: —

HEADQUARTERS DEPARTMENT OF THE GULF,
NEW ORLEANS, June 13, 1862.

The return of the Citizens' Bank of New Orleans to General Order No. 40 has been carefully examined, and the various claims set up by the bank to the funds in its hands weighed.

The report finds that there is to the credit of the Confederate States $219,090.94.

This of course is due *in presenti* from the bank. The bank claims that it holds an equal amount of Confederate treasury notes, and desires to set off these notes against the amount so due and payable.

This cannot be permitted. Many answers might be suggested to the claim. One or two are sufficient.

Confederate States treasury notes are not due till six months after the conclusion of a treaty of peace between the Confederate States and the United States. When that time comes it will be in season to set off such claims. Again, the United States being entitled to the credits due the Confederate States in the bank, that amount must be paid in money or valuable property.

I cannot recognize the Confederate notes as either money or property. The bank having done so by receiving them, issuing their banking upon them, loaning upon them, thus giving them credit to the injury of the United States, is estopped to deny their value.

The "tin box" belonging to an officer of the supposed Confederate States, being a special deposit, will be handed over (to me) in bulk, whether its contents are more or less valuable.

The bank is responsible only for safe custody. The several deposits of the officers of the supposed Confederate States were received in the usual course of business; were, doubtless, some of them, perhaps largely, received in Confederate notes; but, for the reason above stated, can only be paid to the United States in its own constitutional currency. These are in no sense of language "special deposits."

They were held in general account, went into the funds of the bank, were paid out in the discounts of the bank, and if called upon to-day for the identical notes put into the bank, which is the only idea of a special deposit, the bank would be utterly unable to produce them.

As well might my private banker, with whom I have deposited my neighbor's check or draft as money, which has been received as money, and paid out as money, months afterward, when my neighbor has become bankrupt, buy up other of his checks and drafts at discount, and pay them to me instead of money, upon the ground that I had made a special deposit.

The respectability of the source from which the claim of the bank proceeds alone saves it from ridicule.

The United States can in no form recognize any of the sequestrations or confiscations of the supposed Confederate States; therefore, the accounts with the Bank of Kentucky will be made up, and all its property will be paid over and delivered, as if such attempted confiscation had never been made.

The result is, therefore, upon the showing of the bank by its return, that there is due and payable to the Confederate States, and therefore, now to be paid to the United States, the sums following: —

| | |
|---|---|
| Confederate States treasurer's account . . . . . | $219,090.94 |
| ,, ,, special accounts . . . . . | 12,465.00 |
| Deposits by officers: | |
| J. M. Huger, receiver . . . . . | 106,812.60 |
| G. M. Ward, ,, . . . . . | 72,084.90 |
| J. C. Manning ,, . . . . . | 1,120.00 |
| | $411,573.44 |
| M. L. Smith, ,, . . . . . | 16,026.52 |
| S. Macklin, ,, . . . . . | 6,814.57 |
| Reichard, ,, . . . . . | 497.30 |
| Total, . . . . . | $434,911.83 |

This is the legal result to which the mind must arrive in this discussion.

But there are other considerations which may apply to the first item of the account.

Only the notes of the Confederate States were deposited by the treasurer in the bank, and by the order of the ruling authority then here, the bank was obliged to receive them.

In equity and good conscience, the Confederate States could call for nothing more than they had compelled the bank to take.

The United States succeed to the rights of the Confederate States, and should only take that which the Confederate States ought to take.

But the United States, not taking or recognizing Confederate notes, can only leave them with the bank, to be held by it hereafter in special deposit, as so much worthless paper.

Therefore, I must direct all the items but the first to be paid to my order for the United States, in gold, silver, or United States treasury notes at once. The first item of $219,090.94, I will refer to the home government for adjudication; and, in the meantime, the bank must hold, as a special deposit, the amount of Confederate treasury notes above mentioned, and a like amount of bullion to await the decision.

BENJAMIN F. BUTLER,

*Major-General Commanding.*

Shortly after, I sent to Mr. Chase the sum of $245,760, being the amount of Confederate funds paid over in cash by the several banks. I specified the source from which the money came — Confederate

confiscation of Northern debt — and suggested that those at the North whose property had been thus taken might possibly have a claim. Whether they did or not had not been decided when I was relieved.

After the confiscation acts had been passed by Congress, I put them in force and appointed a commission consisting of Major Bell, Lieut.-Col. J. B. Kinsman, and Captain Fuller (Seventy-Fifth New York Volunteers), provost marshal, to take possession of all the sequestered property in the district of Lafourche. This commission was to put every loyal citizen in full possession of his property. All personal property which belonged to disloyal owners (whether foreigners or citizens of the United States) who had remained on their plantations and done no act against the government, was to be theirs, and they were to have the right to remain upon their lands and work them. All disloyal people who had fled or been in the service of the Confederacy, were to have their property gathered up and sold in open market in New Orleans, and, their disloyalty being established, the product was to be turned over to the United States or held for whoever had the right to it. Receipts were to be given for the property so taken possession of.



MAJ. JOSEPH M. BELL,
PROVOST JUDGE AT NEW ORLEANS.

The larger part of the labor of this commission, which went into very successful operation, fell upon Colonel Kinsman. Every detail

he carried out with skill, energy, and unfaltering integrity. More than a million of dollars' worth of property was disposed of by him, for which his receipts were given. The property belonging to loyal men was returned to them; the personal property belonging to the disloyal was seized and taken to New Orleans; the work necessary to put the sugar and other products upon the market was done upon the abandoned plantations; so that there was gathered more than a million of money from the enemies of the United States to its revenues, and all this without a single dollar of expense to the United States.

Of course no operations were more bitterly attacked than those under this order. Every possible charge was made by the foreign consuls against the commission. Its members were accused of embezzling the proceeds of the sales and of selling portions of the property otherwise than at auction. When General Banks came there, he abolished the commission, and in pursuance of the demand of the foreigners on Mr. Seward, a committee was appointed to investigate its doings. They reported that there was no evidence to sustain any charges. Three times over that investigation was renewed, under two major-generals after General Banks, but nothing was ever reported to the detriment of the integrity and ability of that commission. It turned over to General Banks nearly eight hundred thousand dollars in cash and unsold property corresponding with the receipts given for it. What was done with that money and property I have not found in any of the reports of General Banks.

I may as well say here as anywhere, perhaps, in closing the account of my financial transactions in New Orleans, that most of the property, amounting to some millions of dollars, that I had taken from the neutrals because I found them in arms against the United States, was given up by Mr. Seward on complaint of the foreign ministers, and was duly returned upon orders through the adjudications of a commissioner, Reverdy Johnson, the Baltimore secessionist who interfered in behalf of Ross Winans. He was appointed by Mr. Seward and instructed to decide, as he did in every case, in favor of the foreigner. Seward lived under a consuming and chronic fear that if we held any property of a foreigner, however guilty of treason, his government would declare for the independence of the Confederacy; and those governments and their officers did not scruple to take full advantage of Seward's timidity.

After I had been relieved and had settled all my accounts with the government, so that not a dollar's difference stood between me and the government, suits were brought against me in New York, Baltimore, and elsewhere, to the amount of several hundred thousand dollars, for my acts during the war, or those done by my orders, even for the capture of General Twiggs' swords.

All such suits have now been tried which the plaintiff would prosecute. These suits, by the law of military affairs, were to be defended by the government, and were so done by its law officers.

I refused to have a single one settled. All were adjudicated in my favor; and not a dollar of a judgment has been rendered against the United States or myself in those suits.

As all of them were against me as well as the government, and as the government could not defend itself without my being present as a witness and aiding in the trial, I thought it but just that the government should pay my actual expenses, at least, as a witness while attending so many trials a great number of days. I asked the Attorney-General to be allowed witness fees, but he decided that as I was a party as well as a witness for the government, the United States could not pay me anything without a special act of Congress; so that so far I have received *nothing* for the trouble and annoyance of those suits and my services in preparing them, and just *double that for my expenses* actually paid out for attending them as a witness.

I had but one other civil duty to do and that was, under the direction of the President and in obedience to his proclamation, to hold an election in the two congressional districts in Louisiana under my control. Every means were accorded to have a fair election with as full a vote as could be cast. The army did not vote, but every citizen voted who could show that he had taken the oath of allegiance and was a loyal man. Messrs. Flanders and Hahn were chosen by an aggregate vote larger than the whole number of soldiers of the United States within the districts. The election was duly certified, and the members were admitted to Congress, where they served out their term.

Another piece of work had been put upon me by the War Department, the faithful performance of which, perhaps, was one of the causes of my removal from command. As soon as I landed in the city, I was

informed that Count Mejan, French consul, had in his consulate very large sums of money, among others, one of quite a half million dollars deposited there by a bank, in order that it might be protected by the French flag. Learning this, I sent for the consul and asked him to give me his word of honor that no property in any way belonging to Confederates should be sent out of his consulate without a prior report to me, else we should be obliged to put a guard in the consulate to take care of the property.

The count flared up and with great indignation denied solemnly upon his official word and honor that there was in his consulate any such property as I had suggested. He insisted that I had no jurisdiction to put a guard in his consulate; that the flag of France flew over his premises, and where that flag flew was France.

"But," I said, "Count, there need not be any emotion about this. How much of the territory of Louisiana do you think the French flag flying on your consulate will protect from United States occupation?"

"My house and courtelige," was the answer.

"You mean, then, as your house sets back from the street, that all the space within the fence around the French consulate is to be considered French territory?"

"Yes," he answered.

"Well, then, Count, agreeing with you that the line of French territory is as you claim, I will set no foot on French territory, either by myself or by my soldiers, as I have a grateful regard for France. I will content myself with putting a guard on United States territory on the confines of the French territory, so that nothing shall come out of French territory onto American territory without my leave. All I want is that this money, bullion, and other things shall remain on French territory; and I will deal with anybody who undertakes to bring any of it onto United States territory."

The count saw that he was captured, and that there would be no infraction of the law of which to complain. So he gave me his word of honor to the effect that no property should go off of the consul's premises without my knowledge and permission.[1]

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[1] I ought to have a very kindly regard for Count Mejan, as he gave me a certificate of good manners. He wrote to his minister, — and it was filed in the State Department, — that "General Butler can be very polite when he chooses."

Thus matters remained until Seward sent that secession spy and agent, Reverdy Johnson, to New Orleans; and then the French consul asked for a pass to go to Washington and came back with an order on me to release him from his promises. Of course I obeyed orders.

Shortly prior to Nov. 13, 1862, I was informed that our minister at Brussels had written to the State Department that the Confederate agents in Europe were embarrassed by the non-arrival of a large amount of coin from New Orleans, and that the purveyors of cloth could not be paid. One of these was the commissary-general of the French army, who sold the cloth from the army stores of the emperor to the rebels. "But," the minister added, "assurances are *now* given that the money is in the hands of the French consul, and will be shortly received."

This accusation the Secretary of War directed me to investigate, and I did so *con amore*. I caught the firm of Gautherin & Co., which did the business, and seized its books. I sent for the French consul and asked him if he knew anything of any such transaction, and he assured me on his word and honor that he never had any knowledge of it, and he knew no more than that there was a firm by that name in New Orleans.

I caught the chief book-keeper of Gautherin & Co., and he confessed all. He even produced for me the books, showing that the gold, rising eight hundred thousand dollars, had been in the hands of the French consul before I came. The consul had been paid by Gautherin & Co., certain sums in gold as part of the expenses of the undertaking; and a very considerable amount of gold had been paid the consul's wife in order "to make the affair go off well," as appeared on the books. I also was enabled to get evidence of a receipt given by the consul for the money, and full evidence that the money had been lately sent away to pay for this clothing of the Confederate army; and that there was a large amount waiting in Havana, which could not be delivered until the first was paid for, and then it was immediately to be sent to Texas and be delivered to the Confederate quartermaster.

I reported all this to my government, and they demanded the *exequatur* of Mejan, and he was recalled by his government.

I learned afterwards that Napoleon required that I be recalled from New Orleans. It was done. Under the cowardly and unjust

administration of the State Department, the officer ordered to catch the thief, and who did catch him and convict him, was punished to a very much greater extent than the thief himself.

Again, and this I say with great pride and pleasure, I attended during my stay in New Orleans to the administration of justice, and decided all sorts of questions, civil and criminal. As of course I could not have time to do that without assistance, I appointed Maj. Joseph Bell, of Massachusetts, A. D. C., a son-in-law and partner of the Hon. Rufus Choate, of Boston, to be my provost judge [1] to aid me in these judicial duties. Very able, fair-minded, clear-headed and of great legal knowledge was he, and of so great merit that when I was relieved and he went home with me, the Bar of New Orleans presented to him a valuable gift in compliment and recognition of his services to them as a jurist. During his absence from New Orleans for some months, because of sickness, I appointed Lieut.-Col. J. B. Kinsman, A. D. C., to fill his place, from whose decisions no appeals were taken.

There was an appeal to me in case anybody was dissatisfied with Major Bell's decisions, and we decided cases of very large amounts and of every possible description in judicial administration.

After the declaration of peace and amnesty, our proceedings in various forms were brought before the Supreme Court of the United States, and argued with great earnestness and learning. In every case save one they were decided as Bell or my elf had decided them. That case was an appeal to the general; and his decision was sustained. This applies to every act of my administration which could be brought before the Supreme Court, and in no case were my actions set aside.

I had heard, from various sources about the streets of New Orleans, that I was to be removed and another general sent in my place. On the 1st of September, I wrote to General Halleck a communication from which I make the following extract: —

> . . . I learn by the secession newspapers that I am to be relieved of this command. If that be so, might I ask that my successor be sent as early as possible, as my own health is not the strongest, and it would seem but fair that he should take some part in the yellow-fever season.

[1] The title, Provost Judge, describes an officer of a general's staff appointed by him to investigate and decide all complaints and other matters which the general would be called upon to investigate He gets his title from the old Norman French *provostre*, for yourself, i. e., instead of the general.



Capt. Martin. Lieut. Harrold. Capt. Clark. Capt. Davis. Col. Shoffer. Col. French. Capt. Haggerty. Lieut. Clark.
Lieut.-Col. Kinsman. Major Strong. General Butler. Major Bell.

GEN. BENJ. F. BUTLER AND STAFF.

Engraved from Photograph in possession of Gen. Butler.

To this letter I received the following reply: —

WASHINGTON, D. C., Sept. 14, 1862.

MAJ.-GEN. BENJAMIN F. BUTLER, NEW ORLEANS:

*General:* — I have the honor to acknowledge the receipt of your report of the 1st instant.

The rumor in regard to your removal from the command is a mere newspaper story, without foundation. Probably someone who wished the changes proposed made the publication as a feeler of public sentiment. . . .

H. W. HALLECK,
*General-in-Chief.*

About the time I received this information, the secessionists at their clubs in New Orleans were betting, a hundred dollars to ten, that I should be very shortly relieved and Banks sent in my place. The French inhabitants declared they knew I was to be removed at the request of the French government.

Strengthened by the assurances of Halleck, the commander-in-chief, I went on with my business. I was then planning an expedition against Port Hudson, and arranging so that my troops should be in readiness for it as soon as I received the reinforcements which were promised me from Washington. Very much wanting them hurried up, I addressed a letter to Senator Wilson asking him to use his influence with the Secretary of War in that behalf. Wilson wrote me an answer which is in itself a curious commentary on governmental good faith.

"Your note," says Wilson, "was placed in my hands to-day (December 2), and I have at once called upon the Secretary of War and pressed the importance of increasing your force. He agreed with me and promised to do what he could to aid you and expressed his confidence in you, and his approval of your vigor and ability. I will press the matter all I can."

Such an answer to an application for reinforcements was made *twenty-one days after* the order had been given to Banks to succeed me, which was to be executed as soon as it could be done. Can lying, injustice, deceit, and tergiversation farther go? We may find out who possessed those qualities in the highest degree.

Before Senator Wilson's answer came, I had received word from Washington, through a source which was always reliable, that

General Banks had been sent down specially to relieve me, upon the demand of Napoleon, because I was not friendly to France. Although it could not be carried out until sometime in December, *yet, the order of my recall was dated quite contemporaneously with the one relieving George B. McClellan from command, to wit: a day after the November election*, so that it might appear as if the Republican administration had determined to put out of command all generals who had heretofore been Democrats, and to supply true Republican generals in their places.

Ah! Seward, that trick was too thin. It did not work, as we shall see.

I immediately made preparations to set my house in order. On December 12, I had such complete knowledge of Banks' movements that I telegraphed to Forts Jackson and St. Philip to salute Major-General Banks on his steamer with the number of guns appropriate to the commander of the department. When his steamer came to the wharf at the city, I had a battery of artillery to fire a proper salute, and my carriage was in readiness to take him to my house to be entertained. Here he served the following order upon me: —

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
WASHINGTON, Nov. 9, 1862.

General Order No. 184.

By direction of the President of the United States, Major-General Banks is assigned to the command of the Department of the Gulf, including the State of Texas.

By order of the Secretary of War:

H. W. HALLECK,
*General-in-Chief.*

E. D. TOWNSEND, *Assistant Adjutant-General.*

On December 14 and 15, I was engaged in finishing up the accumulated business of my command. On Tuesday, the 16th, General Banks was presented by me to the officers and soldiers of his new command. I commended him to their kindest regard, stating our friendship for many years. On the 16th, he took formal command of the army by an order published that day.

I then commenced turning over to him and his officers all the public property in the possession of myself and officers, taking care

to take duplicate receipts for everything, as was my business habit. The amount was comparatively large, in all amounting to nearly a million dollars. As I had received no order detailing me elsewhere, I spent some days in giving General Banks all the information I possessed concerning the military situation of the department and the details of my plan for an immediate attack on Port Hudson, representing to him the necessity for the promptest action. As the nine months' regiments that had come down with General Banks were neither well armed nor well equipped, — as Banks' inspector-general afterwards reported that not one quarter of some of the rifles in their hands were serviceable, — I advised that these regiments should be sent down in large force to take the place of Weitzel's veteran troops with whom he had accomplished such victories; and that Weitzel be ordered at once, under the cover of the fleet, to ascend the river and take possession of the west shore opposite Port Hudson, in order to keep it from being furnished with further supplies. Now that there could be no possible danger of an attack upon New Orleans, I suggested that the rest of the army, including all old troops, should be sent at once in the rear of Port Hudson on the east bank, to prevent reinforcements and supplies being furnished to this fort by the enemy.

I also told Banks that I had intended, as soon as I could spare the regiment from Weitzel, to send the Twenty-First Indiana, which had won such glory at Baton Rouge under Colonel McMillan, down to occupy Galveston, Texas, which was then held by the fleet. I looked upon Colonel McMillan as fit to command the department, and Galveston was a place requiring high qualities in the commander as well as in the soldiers. I also suggested that McMillan's regiment be filled up with soldiers enlisted from other regiments.

What distressed me not a little was that Banks' regular officers did not seem to appreciate the necessity of prompt movement.

Elsewhere as well as in New Orleans, I had always held my army to be deemed in the *field*. Then, if they were to have quarters, it would cost the government nothing, for they could occupy the houses deserted by those who were serving in the Confederate army. But Banks' officers were inclined to consider themselves in *garrison*, for that would enable them to draw pay for quarters, according to regu-

lation, at a somewhat extravagant rate per month, according to their rank. Then they could hire as cheaply as possible what they desired to occupy, and pocket the difference.

[*Copy.*] OFFICE CHIEF QUARTERMASTER,
DEPARTMENT OF THE GULF, NEW ORLEANS, Dec. 19, 1862.

Wanted, *immediately*, a small, respectable, partially furnished house, for personal occupation. Furniture protected and rent promptly paid. Address undersigned at St. Charles Hotel, or office.

S. B. HOLABIRD,
*Colonel, Chief Quartermaster.*

I may remark here that no movement was made upon Port Hudson for many months, — not until the enemy had time to fortify it fully, and to reinforce it. The only thing done at first was to send down to Galveston a militia regiment, under a militia colonel who never had heard a hostile shot fired in his life. He put himself on a wharf in Galveston, and then, when the rebels were ready, they scooped him up without his firing hardly a shot. But here and now is not my occasion to criticise the performances of the troops in the Department of the Gulf in the succeeding campaigns. The utter disasters of each and all have passed into history, but they were not such solely from the fault of Banks, by any means.

"Having received no further orders," I wrote to the President, "either to report to the commander-in-chief, or otherwise, I have taken the liberty to suppose that I am permitted to return home, my services being no longer needed here. I have given Major-General Banks all the information in my power, and more than he has asked, in relation to the affairs of this department."

On the 23d, I had a public leave-taking of my troops and friends. A very large number of both soldiers and citizens collected. For two hours and more there was a continuous throng passing by where I stood and shaking me by the hand. General Banks and officers paid their respects, and Admiral Farragut was there with nearly all of the principal officers of his fleet.

On the morning of the 24th, the levee at which my transport lay was covered with a large concourse of citizens. No troops were there, although General Banks was kind enough to offer me as an

escort my old regiment, the Twenty-Sixth Massachusetts. I thanked him for his courtesy but told him that I had walked through New Orleans for many months without any guard, and I was not going out of it under guard. I entered my carriage at my quarters with a single orderly on the box, as had been my custom, and drove down to the levee near the landing plank of my steamer. When I got out of the carriage, crowds gathered around me. I shook hands with the people longer than I could spare the time, listening to kindly expressions from every class of citizens, but hearing no unpleasant word. As I passed the admiral's flagship, the Hartford, she gave me the regulation salute, and I raised my hat to the admiral for the last time on ship-board. As I passed the Marine Barracks, two miles below the city, where the Twenty-Sixth Regiment was encamped, they turned out on the quay and gave me many cheers. My voyage was without incident except some quite rough weather off Hatteras.

I reached the Narrows on the 1st day of January, on my way to Lowell. My vessel was met by a revenue cutter, the commander of which brought to me a letter from President Lincoln, asking me to call on him at once.[1]

In obedience to his wish, I went to see him. He greeted me with every cordiality of expression and manner, but I am afraid mine was not as cordial as it ought to have been. After inquiring as to his health, I said: "Mr. President, will you please tell me for what acts of mine I am recalled from New Orleans?" He said: "I am not at liberty to tell you, but you may ask Mr. Stanton. I should be very happy to see you to-morrow for a consultation."

I then called upon Mr. Stanton. He also received me with great cordiality. As soon as the compliments of the day were passed, I said: "Well, Mr. Secretary, will you tell me why I was relieved from command at New Orleans?" Mr. Stanton replied: "The reason was one which does not imply, on the part of the government, any want of confidence in your honor as a man, or in your ability as a commander." "Well," said I, "you have told me what I was *not* recalled for. I now ask you to tell me what I *was* recalled for." "You and I," replied Stanton, laughing, "are both lawyers,

[1] A fac-simile of this letter appears on page 389.

and it is of no use your filing a bill of discovery upon *me*, for I sha'n't tell you."

I knew the cause perfectly well, all the same.

I then went to see Mr. Seward. He received me politely, very, and invited me to dine with him that evening, which invitation I accepted. I then said: "Mr. Secretary, when I left here last February, nothing of consequence was being done without your being consulted and having knowledge of it. I have asked the President why I was relieved from command and he declines giving me the reasons, and I have come to you, believing that you can give them if you will." "General," said he, "things have changed somewhat since you went away. We were then somewhat new in administration, and we interfered sometimes with each other's departments; but now we confine ourselves more closely to our own business. I do not know what you were recalled for, I assure you, but Halleck knows all about it. He is the general-in-chief, and had everything to do with it."

Thereupon I went to Halleck's office, and we met on apparently friendly relations. I said to him: "General Halleck, I have come to ask you, as my superior officer, the reasons for my being relieved from command in New Orleans and on what account it was done." "I do not know, General, no reasons were ever given me. It was done solely under the direction of the Secretary of State." I knew that well enough, but could not then prove it without disclosing my witness; and after answering Halleck such questions as he chose to ask about Banks and his condition, I returned to my home, not in especial good humor.

However, I attended Mr. Seward's dinner and we had an exceedingly cordial time. After the dinner was over, Mr. Seward was kind enough to accompany me to the door. As I took leave of him by hand-shaking, I said: "What an infernal liar your man Halleck is! He told me that he did not know anything about the reason why I was relieved; that it was done solely upon your advice. Good-night."

As to who was the man who told the truth, I now have the evidence for the first time in the publication of "Seward at Washington," 1891. His biographer says (p. 139): —

"Claims and complaints at New Orleans, based upon interruptions and losses in trade, were numerous. . . . Some were intricate and delicate, and even threatened to endanger friendly relations with European powers.

The Secretary found half his time engrossed with these questions. He determined that it would be wise to establish some tribunal at New Orleans to examine and decide upon them. . . . It had become necessary to constitute a Provisional Court. Charles A. Peabody of New York was appointed the Provisional Judge, and vested with full jurisdiction, 'his judgment to be final and conclusive.'" . . .

While General Butler was the military commander, he had enforced order, maintained quiet, and adopted praiseworthy sanitary regulations, regardless of protests or resistance. He ruled with a firm hand, and in return encountered a storm of vituperation.

Seward's circular to Foreign Ministers, December 15 (pp. 149, 150), says: —

General Banks sailed from New York fifteen days ago, with reinforcements for New Orleans, and we suppose that he must before this time have reached and taken command of that city.

We are inaugurating a system of administration in New Orleans, under General Banks, which will relieve the condition there of much of the uneasiness which it is supposed affected the disposition of foreign powers. . . .

Thus it will be seen that on October 20, by executive order, not transmitted to me, Seward caused to be established a Provisional Court, which was done in defiance of the Constitution and laws of Congress, inasmuch as it was *not* for military purposes. He claimed that judgments by it were to be "final and conclusive," not to be revised by any court. His biographer says that the *validity of its acts were considered* — how could that be done? — in the Supreme Court of the United States, and were fully sustained, when, in subsequent years, they came before it. It had full and conclusive jurisdiction in all cases of law, civil and criminal, equity and admiralty. The Supreme Court sustained his decisions because they had no power to reverse. Perhaps also that court found them to be right.

My acts and decisions in New Orleans were also brought before the Supreme Court, and were all sustained, as we have seen, not because the court could not adjudicate differently, but because they decided that I had judged rightly.

The order for Peabody's Court did not come down to New Orleans until Banks came. Peabody was neither a military nor a civil officer known to the Constitutional Laws of the United States. He was a New York pet of Seward, but I must do him the justice to say from what I saw of him, he was an enormous improvement upon Reverdy Johnson, because he was a loyal, honest man.

Seward's appointment of Banks to supersede me was announced as soon as the November elections were over. The results of these elections, he says in a letter[1] to his wife, were very deplorable: —

> November came, and with it the election in the various States. The returns were ominous and disheartening enough. Everywhere there was reaction of feeling, adverse to the administration. In the strong Republican States majorities were reduced. In all others, the opposition was triumphant, and the administration party defeated. . . . Among the causes of the revulsion was opposition to the government's anti-slavery policy.

On the 15th of December he issued his circular to foreign ministers, stating "Banks would be in command at New Orleans, and would take measures that there should be no interference with foreigners," however hostile and injurious to the government.

Such being Seward's condition of mind about the election, and knowing that he was looked upon with distrust by the Republican party as an opponent of the anti-slavery cause, he desired to do what he could to restore himself to public favor, and he thought he would score a point in his favor if the administration were to remove two Democratic generals, one of whom [McClellan] was supposed to be delaying the movement of the troops on account of the emancipation, and the other [myself] had been a very decided Democrat when he entered the war and had up to that time made no sign of any change in political opinion. But the trick did not avail, and there was a strenuous endeavor made to force him out of the Cabinet. I will tell his own story of how he succeeded in holding his place: —

> (December 15.) The Republican senators had just been holding a caucus. All were not present, but those who were, acting under the spur of excitement and disappointment, had resolved that some change must be made, to appease the supposed popular "thirst for a victim." Resolu-

[1] Seward at Washington, p. 142.

tions had been hastily adopted advising the President to change the chief member of his Cabinet, and a committee was appointed to lay the resolutions before him.

"Seeing how things were going, I did not stay for the last vote," said Mr. King, "but just slipped out of the chamber and came down to tell you, for I thought you ought to know. They were pledging each other to keep the proceedings secret, but I told them I wasn't going to be bound." . . .

Without a moment's hesitation, he [Seward] called for a pen and paper and dictated this note to the President: —

*Sir:* — I hereby resign the office of Secretary of State, and beg that my resignation may be accepted immediately.

Five minutes later it was placed in the hands of the President, who, after reading it, looked up with a face full of pain and surprise, saying: "What does this mean?"[1]

Preston King, who was there, explained to the President.

Thereupon such proceedings were had that Chase, who was supposed to be a leader of the radical party in the Cabinet, also was persuaded to resign. Then, both the Secretary of the Treasury and the Secretary of State having resigned, one at the head of the anti-slavery portion of the Republican party, and the other at the head of those who thought the proclamation a mistake, Mr. Lincoln eluded taking any action upon the resolution of the caucus of Republican senators by persuading both to withdraw their resignations, saying in his own quaint language: "I can ride now, for I have got a pumpkin in each end of my bag." And the administration wallowed on.

Examining these facts, mostly of record, can any man doubt who told the truth when Halleck said that Seward had all to do with my recall from command, and Seward said he hadn't anything to do with it? I have no doubt that Seward told Halleck what I had said about Halleck being the liar, because from that time, as I have learned since from his correspondence, Halleck was a deadly enemy of mine, although I gave him no reason for being. Seward knew whom I meant by what I said, and telling it to Halleck was another of his wily tricks.

[1] Seward at Washington, pp. 146, 147.

When about leaving New Orleans, although hurried with a thousand cares and anxieties which surround one under such circumstances, I thought it due to myself and my administration to make a farewell address to the people of that city, and to state therein what I had done and what I had not done, so that if my statements were to be questioned or contradicted by anybody, they might be then and there when the proofs were all at hand and matters of fact could be readily determined.

My readers have now heard my history of all the important things I did; will they please compare it with what I said in the following address I had done, and see how the two stand together? None of all my enemies, so far as I know, have challenged or attempted to contradict a single statement of fact in it. There has been much harmless and foolish abuse, much stating of charges without authority or evidence. The things that these slanderers claim I had done were such as they would have done if they could have had the power I held there. But nobody has said I have claimed to have done that which I had not done. If one charges another, without evidence, of having done wicked and dishonest acts because he had the power to do them in a given case, it is because he knows in his own heart that under the same circumstances he would have done those same things which he charges another with doing. This remark vituperative newspaper writers (as Jack Bunsby would say) "will make a note of."

## FAREWELL ADDRESS.

*Citizens of New Orleans:* — It may not be inappropriate, as it is not inopportune in occasion, that there should be addressed to you a few words at parting, by one whose name is to be hereafter indissolubly connected with your city.

I shall speak in no bitterness, because I am not conscious of a single personal animosity. Commanding the Army of the Gulf, I found you captured, but not surrendered; conquered, but not orderly; relieved from the presence of an army, but incapable of taking care of yourselves. I restored order, punished crime, opened commerce, brought provisions to your starving people, reformed your currency, and gave you quiet protection, such as you had not enjoyed for many years.

While doing this, my soldiers were subjected to obloquy, reproach, and insult.

And now, speaking to you, who know the truth, I here declare that whoever has quietly remained about his business, affording neither aid nor comfort to the enemies of the United States, has never been interfered with by the soldiers of the United States.

The men who had assumed to govern you and to defend your city in arms having fled, some of your women flouted at the presence of those who came to protect them. By a simple order (No. 28), I called upon every soldier of this army to treat the women of New Orleans as gentlemen should deal with the sex, with such effect that I now call upon the just-minded ladies of New Orleans to say whether they have ever enjoyed so complete protection and calm quiet for themselves and their families as since the advent of the United States troops.

The enemies of my country, unrepentant and implacable, I have treated with merited severity. I hold that rebellion is treason, and that treason persisted in is *death*, and any punishment short of that due a traitor gives so much clear gain to him from the clemency of the government. Upon this thesis have I administered the authority of the United States, because of which I am not unconscious of complaint. I do not feel that I have erred in too much harshness, for that harshness has ever been exhibited to disloyal enemies to my country, and not to loyal friends. To be sure, I might have regaled you with the amenities of British civilization, and yet been within the supposed rules of civilized warfare. You might have been smoked to death in caverns, as were the Covenanters of Scotland by the command of a general of the royal house of England; or roasted, like the inhabitants of Algiers during the French campaign; your wives and daughters might have been given over to the ravisher, as were the unfortunate dames of Spain in the Peninsular War; or you might have been scalped and tomahawked as our mothers were at Wyoming by the savage allies of Great Britain in our own Revolution; your property could have been turned over to indiscriminate "loot," like the palace of the Emperor of China; works of art which adorned your buildings might have been sent away, like the paintings of the Vatican; your sons might have been blown from the mouths of cannon, like the Sepoys at Delhi; and yet all this would have been within the rules of civilized warfare as practised by the most polished and the most hypocritical nations of Europe. For such acts the records of the doings of some of the inhabitants of your city toward the friends of the Union, before my coming, were a sufficient provocative and justification.

But I have not so conducted. On the contrary, the worst punishment inflicted, except for criminal acts punishable by every law, has been banishment with labor to a barren island, where I encamped my own soldiers before marching here.

It is true, I have levied upon the wealthy rebels, and paid out nearly half a million of dollars to feed forty thousand of the starving poor of all nations assembled here, made so by this war.

I saw that this Rebellion was a war of the aristocrats against the middling men, of the rich against the poor; a war of the land-owner against the laborer; that it was a struggle for the retention of power in the hands of the few against the many; and I found no conclusion to it, save in the subjugation of the few and the disenthrallment of the many. I therefore felt no hesitation in taking the substance of the wealthy, who had caused the war, to feed the innocent poor, who had suffered by the war. And I shall now leave you with the proud consciousness that I carry with me the blessings of the humble and loyal, under the roof of the cottage and in the cabin of the slave, and so am quite content to incur the sneers of the *salon*, or the curses of the rich.



MEDICAL-DIRECTOR MACCORMICK.

I have found you trembling at the terrors of servile insurrection. All danger of this I have prevented by so treating the slave that he had no cause to rebel.

I found the dungeon, the chain, and the lash your only means of enforcing obedience in your servants. I leave them peaceful, laborious, controlled by the laws of kindness and justice.

I have demonstrated that the pestilence can be kept from your borders.

I have added a million of dollars to your wealth in the form of new land from the batture of the Mississippi.

I have cleansed and improved your streets, canals, and public squares, and opened new avenues to unoccupied land.

I have given you freedom of elections greater than you have ever enjoyed before.

I have caused justice to be administered so impartially that your own advocates have unanimously complimented the judges of my appointment.[1]

You have seen, therefore, the benefit of the laws and justice of the government against which you have rebelled.

[1] Upon the retirement of Major Bell from the bench of the provost court, the lawyers and others who had attended it presented to the major a valuable cane, accompanying the gift with expressions of esteem and gratitude, far more precious than any gift could be.

Why, then, will you not all return to your allegiance to that government, — not with lip-service, but with the heart?

I conjure you, if you desire ever to see renewed prosperity, giving business to your streets and wharves — if you hope to see your city become again the mart of the western world, fed by its rivers for more than three thousand miles, draining the commerce of a country greater than the mind of man hath ever conceived — return to your allegiance.

If you desire to leave to your children the inheritance you received from your fathers — a stable constitutional government; if you desire that they should in the future be a portion of the greatest empire the sun ever shone upon — return to your allegiance.

There is but one thing that stands in the way.

There is but one thing that at this hour stands between you and the government — and that is slavery.

The institution, cursed of God, which has taken its last refuge here, in His providence will be rooted out as the tares from the wheat, although the wheat be torn up with it.

I have given much thought to this subject.

I came among you, by teachings, by habit of mind, by political position, by social affinity, inclined to sustain your domestic laws, if by possibility they might be with safety to the Union.

Months of experience and of observation have forced the conviction that the existence of slavery is incompatible with the safety either of yourselves or of the Union. As the system has gradually grown to its present huge dimensions, it were best if it could be gradually removed; but it is better, far better, that it should be taken out at once, than that it should longer vitiate the social, political, and family relations of your country. I am speaking with no philanthropic views as regards the slave, but simply of the effect of slavery on the master. See for yourselves.

Look around you and say whether this saddening, deadening influence has not all but destroyed the very framework of your society?

I am speaking the farewell words of one who has shown his devotion to his country at the peril of his life and fortune, who in these words can have neither hope nor interest, save the good of those whom he addresses; and let me here repeat, with all the solemnity of an appeal to heaven to bear me witness, that such are the views forced upon me by experience.

Come, then, to the unconditional support of the government. Take into your own hands your own institutions; remodel them according to the laws of nations and of God, and thus attain that great prosperity assured to you by geographical position, only a portion of which was heretofore yours.

BENJ. F. BUTLER.

NEW ORLEANS, Dec. 24, 1862.

There is a companion piece to this address, published at Richmond, on the same 24th day of December on which my address was published at New Orleans, neither writer having seen or known of the writing of the other: —

## A PROCLAMATION

BY THE PRESIDENT OF THE CONFEDERATE STATES.

Whereas, A communication was addressed, on the 6th day of July last, 1862, by Gen. Robert E. Lee, acting under the instructions of the secretary of war of the Confederate States of America, to Gen. H. W. Halleck, commander-in-chief of the United States army, informing the latter that a report had reached this government that Wm. B. Mumford, a citizen of the Confederate States, had been executed by the United States authorities at New Orleans for having pulled down the United States flag in that city before its occupation by the United States forces, and calling for a statement of the facts, with a view of retaliation if such an outrage had really been committed under the sanction of the authorities of the United States;

And whereas (no answer having been received to said letter), another letter was, on the 2d of August last, 1862, addressed by General Lee, under my instructions, to General Halleck, renewing the inquiries in relation to the execution of the said Mumford, with the information that in the event of not receiving a reply within fifteen days, it would be assumed that the fact was true, and was sanctioned by the Government of the United States;

And whereas, an answer, dated on the 7th of August last, 1862, was addressed to General Lee by Gen. H. W. Halleck, the said general-in-chief of the armies of the United States, alleging sufficient cause for failure to make early reply to said letter of the 6th of July, asserting that "no authentic information had been received in relation to the execution of Mumford; but measures will be immediately taken to ascertain the facts of the alleged execution," and promising that General Lee should be duly informed thereof;

And whereas, on the 26th of November last, 1862, another letter was addressed, under my instructions, by Robert Ould, Confederate agent for the exchange of prisoners, under the cartel between the two governments, to Lieut.-Col. W. H. Ludlow, agent of the United States under said cartel, informing him that the explanation promised in the said letter of General Halleck, of 7th of August last, had not yet been received, and that if no answer was sent to the government within fifteen days from the

delivery of this last communication, it would be considered that an answer is declined;

And whereas, by a letter dated on the 3d day of the present month of December, the said Lieutenant-Colonel Ludlow apprised the said Robert Ould that the above recited communication of the 19th of November had been received and forwarded to the Secretary of War of the United States;

And whereas, this last delay of fifteen days allowed for answer has elapsed, and no answer has been received;

And whereas, in addition to the tacit admission resulting from the above refusal to answer, I have received evidence fully establishing the truth of the fact that the said William B. Mumford, a citizen of the Confederacy, was actually and publicly executed in cold blood by hanging, after the occupation of the city of New Orleans by the forces under Gen. Benjamin F. Butler, when said Mumford was an unresisting and non-combatant captive, and for no offence even alleged to have been committed by him subsequent to the date of the capture of the said city;

And whereas, the silence of the Government of the United States, and its maintaining of said Butler in high office under its authority for many months after his commission of an act that can be viewed in no other light than as a deliberate murder, as well as of numerous other outrages and atrocities hereafter to be mentioned, afford evidence too conclusive that the said government sanctions the conduct of the said Butler, and is determined that he shall remain unpunished for these crimes:

Now, therefore, I, Jefferson Davis, President of the Confederate States of America, and in their name, do pronounce and declare the said Benjamin F. Butler to be a felon, deserving of capital punishment. I do order that he shall no longer be considered or treated simply as a public enemy of the Confederate States of America, but as an outlaw and common enemy of mankind, and that, in the event of his capture, the officer in command of the capturing force do cause him to be immediately executed by hanging.

And I do farther order that no commissioned officer of the United States, taken captive, shall be released on parole, before exchanged, until the said Butler shall have met with due punishment for his crimes.

And whereas, the hostilities waged against this Confederacy by the forces of the United States, under the command of said Benjamin F. Butler, have borne no resemblance to such warfare as is alone permissible by the rules of international law or the usages of civilization, but have been characterized by repeated atrocities and outrages, among the large number of which the following may be cited as examples: —

Peaceful and aged citizens, unresisting captives and non-combatants, have been confined at hard labor, with hard chains attached to their limbs, and are still so held, in dungeons and fortresses.

Others have been submitted to a like degrading punishment for selling medicines to the sick soldiers of the Confederacy.

The soldiers of the United States have been invited and encouraged in general orders to insult and outrage the wives, the mothers, and the sisters of our citizens.

Helpless women have been torn from their homes, and subjected to solitary confinement, some in fortresses and prisons, and one especially on an island of barren sand, under a tropical sun; have been fed with loathsome rations that have been condemned as unfit for soldiers, and have been exposed to the vilest insults.

Prisoners of war, who surrendered to the naval forces of the United States, on agreement that they should be released on parole, have been seized and kept in close confinement.

Repeated pretexts have been sought or invented for plundering the inhabitants of a captured city, by fines levied and collected under threats of imprisoning recusants at hard labor with ball and chain. The entire population of New Orleans have been forced to elect between starvation by the confiscation of all their property and taking an oath against conscience to bear allegiance to the invader of their country.

Egress from the city has been refused to those whose fortitude withstood the test, and even to lone and aged women, and to helpless children; and after being ejected from their homes and robbed of their property, they have been left to starve in the streets or subsist on charity.

The slaves have been driven from the plantations in the neighborhood of New Orleans until their owners would consent to share their crops with the commanding general, his brother, Andrew J. Butler, and other officers; and when such consent had been extorted, the slaves have been restored to the plantations, and there compelled to work under the bayonets of the guards of United States soldiers. Where that partnership was refused, armed expeditions have been sent to the plantations to rob them of everything that was susceptible of removal.

And even slaves, too aged or infirm for work, have, in spite of their entreaties, been forced from the homes provided by their owners, and driven to wander helpless on the highway.

By a recent General Order, No. 91, the entire property in that part of Louisiana, west of the Mississippi River, has been sequestered for confiscation, and officers have been assigned to duty, with orders to gather up and collect the personal property, and turn over to the proper officers,

upon their receipts, such of said property as may be required for the use of the United States army; to collect together all the other personal property and bring the same to New Orleans, and cause it to be sold at public auction to highest bidders — an order which, if executed, condemns to punishment, by starvation, at least a quarter of a million of human beings, of all ages, sexes, and conditions, and of which the execution, although forbidden to military officers by the orders of President Lincoln, is in accordance with the confiscation law of our enemies, which he has effected to be enforced through the agency of civil officials.

And, finally, the African slaves have not only been incited to insurrection by every license and encouragement, but numbers of them have actually been armed for a servile war — a war in its nature far exceeding the horrors and most merciless atrocities of savages.

And whereas, the officers under command of the said Butler have been, in many instances, active and zealous agents in the commission of these crimes, and no instance is known of the refusal of any one of them to participate in the outrages above narrated;

And whereas, the President of the United States has, by public and official declarations, signified not only his approval of the effort to excite servile war within the Confederacy, but his intention to give aid and encouragement thereto, if these independent States shall continue to refuse submission to a foreign power after the 1st day of January next, and has thus made known that all appeal to the law of nations, the dictates of reason, and the instincts of humanity would be addressed in vain to our enemies, and that they can be deterred from the commission of these crimes only by the terrors of just retribution;

Now, therefore, I, Jefferson Davis, President of the Confederate States of America, and acting by their authority, appealing to the Divine Judge in attestation that their conduct is not guided by the passion of revenge, but that they reluctantly yield to the solemn duty of redressing, by necessary severity, crimes of which their citizens are the victims, do issue this my proclamation, and, by virtue of my authority as commander-in-chief of the armies of the Confederate States, do order —

First — That all commissioned officers in the command of said Benjamin F. Butler be declared not entitled to be considered as soldiers engaged in honorable warfare, but as robbers and criminals, deserving death; and that they and each of them be, whenever captured, reserved for execution.

Second — That the private soldiers and non-commissioned officers in the army of said Butler be considered as only the instruments used for the commission of crimes perpetrated by his orders, and not as free agents;

that they, therefore, be treated, when captured as prisoners of war, with kindness and humanity, and be sent home on the usual parole that they will in no manner aid or serve the United States in any capacity during the continuance of this war, unless duly exchanged.

Third — That all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong, to be dealt with according to the law of said States.

Fourth — That the like orders be issued in all cases with respect to the commissioned officers of the United States when found serving in company with said slaves in insurrection against the authorities of the different States of this Confederacy.

In testimony whereof, I have signed these presents, and caused the seal of the Confederate States of America to be affixed thereto, at the city of Richmond, on the 23d day of December, in the year of our Lord one thousand eight hundred and sixty-two.

JEFFERSON DAVIS.

By the President:

J. P. BENJAMIN, *Secretary of State.*

That I was to be recalled was known to Jefferson Davis before it was to me, and the date of my recall, the 9th of November, was forty-five days gone by when that proclamation was published. It was not intended to be published until after I had gone, when it could not, as it did not, have any actual effect upon anybody. I first saw it in New York. It was written by Benjamin, who had an enormous grudge at me for doing a thing which he did not mention in the proclamation, i. e., so thoroughly preaching Unionism to his brother at Baton Rouge in July, that he took the oath of allegiance, declaring himself a Union man. While the paper is filled with simple lying abuse, yet the main ground upon which it rests is his declaration that I had armed the slaves. That applied to President Lincoln and his Cabinet more than to me, because they had adopted my acts in raising native guards of colored, free-born men, and proceeded further to arm the slaves. Its design was to frighten the officers who should command the negro troops. It did not do that, for before the end of the war we had one hundred and fifty thousand negroes under arms. It was written by a rebel secretary of state for a political purpose; and of course, as we have seen, was necessarily one of that class of documents and acts of State

departments so false and underhanded as to astonish their patron, the Devil.

The only fruits that it bore, so far as I have heard, were the following he and she publications: —

TEN THOUSAND DOLLARS REWARD! — $10,000 — President Davis having proclaimed Benjamin F. Butler, of Massachusetts, to be a felon deserving of capital punishment, for the deliberate murder of Wm. B. Mumford, a citizen of the Confederate States, at New Orleans; and having ordered that the said Benjamin F. Butler be considered or treated as an outlaw and common enemy of mankind, and that in the event of his capture, the officer in command of the capturing force do cause him to be immediately executed by hanging, the undersigned hereby offers a reward of ten thousand dollars ($10,000) for the capture and delivery of the said Benjamin F. Butler, dead or alive, to any proper Confederate authority.




DOOR-PLATE TAKEN FROM RICHARD YEADON'S RESIDENCE.

RICHARD YEADON.

CHARLESTON, S. C., January 1.

He did not get my head, but I did afterwards send for him, but got only his door-plate, the man himself having run away.

The she publication was from the Charleston *Courier*: —

A daughter of South Carolina writes to the *Courier* from Darlington District: —

"I propose to spin the thread to make the cord to execute the order of our noble president, Davis, when old Butler is caught, and my daughter asks that she may be allowed to adjust it around his neck."

It is evident that she had not been in New Orleans and got tamed.

"There is no difference between a he adder and a she adder in their venom."

The first recital of the proclamation, namely, that Mumford was executed for a crime committed before the city was captured, was simply a lie. It was for tearing down the flag put up by Farragut when the city surrendered to him.

The proclamation was not published until after the date on which Davis knew I was to leave New Orleans. If it had been published while I was in command in New Orleans and before I got to sea, there would have been an answer made to it which might have astonished both Benjamin and Davis. Being "outlawed," I should have given their rebel friends a taste of the law of the outlaw.

This proclamation was mere *brutum fulmen.* It was directed as much against the government as myself. Afterwards, when I consented to return to the service, I was put in charge of all the rebel prisoners as commissioner of exchange, and Davis and his government had to deal with me and me only; and he did so for months, and none of the outlawing of negro soldiers was attempted to be carried into effect.

The proclamation also threatened that no officer would be paroled until I was punished by hanging. Yet the parole went on in all the armies precisely as though the proclamation had never been published. And when in Virginia, in 1864, a portion of my colored troops raised in Virginia were captured and put by Lee into the trenches to work on the rebel fortifications, I wrote him a note stating that if they were not immediately taken out and treated as prisoners of war, I would put in Dutch Gap to work, under the fire of the rebels, the Virginia reserves whom I had captured, who were highly respectable gentlemen of Richmond, over sixty years of age. It is needless to say that afterwards the negroes were treated as prisoners of war.

Jefferson Davis did not believe one word of the proclamation himself.

That is evinced by the fact that while that document declared me to be utterly vile and a felon, yet he treats me quite differently in his "Rise and Fall of the Confederate Government." In that work he discusses the exchange of prisoners, and, after quoting page after page of my report to my government showing the plans and conditions upon which the exchange of prisoners were carried on, he closes by saying: —

In regard to the policy of exchange of prisoners, Gen. B. F. Butler has irrefutably fixed the responsibility on the government at Washington and on General Grant.[1]

[1] Rise and Fall of the Confederate Government, Vol. II., p. 607.

How so, Mr. Davis? Had you given any proof other than a recitation of the reports of General Butler? True, they were made upon his honor as an officer of the army of the United States to his government. But upon what principle did the mere word, not even the oath, of a felon and an outlaw "irrefutably fix" any fact?

I rose early in the morning of the day after my interviews with the President and Stanton, Halleck and Seward. I examined the situation with careful thought, and the result was this: I had been deliberately deprived of my command for no fault of mine, and in a manner which, to the outside world, would appear to demonstrate that it was because of some charges made against me by somebody upon some matter, or because of some unfitness for command. The administration now refused to state the ground of my recall. Now, if that had been stated or could be stated, it would relieve me in every way, and I should be justified to my own people and to other nations. If Seward had had the courage to say, or if Stanton would have said and published words amounting to this: "General Butler has been recalled at the request of the Emperor Napoleon," as was the fact, I should have been in a condition to go again into the service, if desired, with honor, and might have done credit to myself.

I came to the conclusion that Lincoln would offer me some other important command; but I also came to another conclusion, which was, that I would take no command under any circumstances unless I was returned to New Orleans. Having determined after due thought upon a course of action, I am not easily turned from it.

Quite early after breakfast, I called on Mr. Lincoln, according to his appointment, and found him apparently awaiting my coming, for on his table were maps, charts, and some books of statistics, to which he soon made reference.

"Mr. President," I said, "thanking you for your kind and appreciative note, I have brought my commission for your acceptance, and wish to inform you that I cannot learn why I was recalled. The country does not know why I was recalled from New Orleans. That leaves me open to the suspicion that it had been done because of the truth of some infamous charges that the rebels and Copperheads have made against me."

"Put your commission back in your pocket," said he. "I have seen no reason to change my opinion of you, which, from the beginning,

has been of the highest character, as you know. Now, I want to give you a command quite equal in extent and importance to the one which you won for yourself at New Orleans. In it you can do great good to the country. The question of abolition of slavery is now settled. I want you to go down on the Mississippi River, take command there, and enlist, arm, and organize as many negro troops as can be had."

He produced some maps which showed the slave population by the territories and districts. The various sections were marked over with shaded lines; so drawn that where slavery was most prevalent, there the shading was darkest.

"I know of no one who can do this as well as yourself. From our correspondence, I see that you thoroughly believe in negro troops. You shall have the nomination of all the officers, and I will endorse them by appointments."

"I am infinitely obliged to you for your good opinion," I said, "but I could have enlisted several thousands if you had given me this full power when I was in New Orleans. Indeed, you see the Mississippi River country is black with them, and I had only to march up the Mississippi to get them. I would have so marched if I could have had any reinforcements; but now that march cannot be made without fighting. Sending Banks to command in my place and then sending me down on the Mississippi to enlist troops, would be simply saying that I was not fit to command troops, but only fit for a recruiting sergeant."

"There is something in that," said he, "but I will give you command. You may take Grant's command down there."

"Mr. President," I replied, "I feel keenly enough my own recall and having another man put in my place without any reason given for it excepting incompetency. I have watched Grant's movements with care, and I see no reason why he should be recalled. He seems to have done well enough, and I do not want to be a party to such another injustice as I suffer. But, Mr. President, why not do this: Send me back to take my old command and I will go up the Mississippi rolling up troops like a snow-ball in the soft snow. Now, every soldier costs the country at least two thousand dollars in bounties, and in doing anything with him, getting him drilled and transported. Those negro soldiers will cost nothing but their pay, uniforms, and rations, and the last we can get as we go along.

To recall Banks will be no aspersion upon him; it will stand on the ground that his appointment was owing to the mistake of my removal; and I cannot believe it is just to myself, my family, or the country that I should take a different command."

He walked backward and forward once or twice along the audience chamber and returned to me with an appealing look, saying: "But I cannot recall Banks." I answered: —

"I ought not, Mr. President, by my action to confess that I ought to have been recalled, which, by taking a different command, especially one which involves recruiting duties only, I should do. I was once a major-general recruiting in New England; but that was to raise troops to command on an important expedition. Besides, Mr. President, there is another thing. You removed McClellan, a Democratic general, and sent him away in disgrace on the 5th of November, as soon as the results of the election were known, and he has sunk into a growling, fault-finding retirement. My recall is dated the 9th, although determined on sometime before. Seward thought if he should apparently remove us together, as Democrats, and send a Republican down in my place, the country would understand that it was to benefit the anti-slavery cause, as he supposed I should turn up a growling, unappreciative, Democratic sore-head. But that trick of his won't work. He has made a mistake, and he will not thus save himself before Congress. The position that I have taken in my farewell address at New Orleans, which I shall stand by, will cause me to be looked upon as at the head, next to yourself, of the anti-slavery cause. Since this war began, I have never failed in anything I have undertaken, and I shall not fail in this, Mr. President, and you will have no warmer supporter of your administration than I am so long as you hold your present course as regards slavery, and not let it be bedeviled by Seward. I think I must go to Lowell, Mr. President, but here, again, is my commission."

"Oh," he answered, "you shall go where you please, General, but keep your commission."

We shook hands, and I went to Lowell.

If additional evidence can be needed of the opinion of the President and Mr. Stanton of my action in New Orleans, and of the reason of my recall, I beg leave to append the two following letters of the Hon. Charles Sumner: —

SENATE CHAMBER, 5th Dec., '62.

*Dear General:* — The President says that you "shall not be forgotten," — these were his words to me. General Halleck and Mr. Stanton say substantially the same thing, although the former adds "all generals call for more troops"; but I shall follow it up. Do not fail to call on me.

I understand that the French government has forbidden the papers to mention your name.

The name of Marlboro was once used in France to frighten children, — more than a century ago. You have taken his place.

Believe me, my dear sir,

Faithfully yours,

CHARLES SUMNER.

SENATE CHAMBER, 8th Jan., '63.

*Dear General:* — Mr. Stanton assured me last evening that had he known your real position with regard to the proclamation he would have cut off his right hand before he would have allowed anybody to take your place, — that his fixed purpose was that on the 1st of January a general should be in command at New Orleans to whom the proclamation would be a living letter; and that in this respect it was natural, after the recent elections in Pennsylvania and New York, that he should look to a Republican rather than to an old Democrat.

I mention these things frankly, that you may see the precise motive of the secret change.

I afterwards saw the President, who said that he hoped very soon to return you to New Orleans. He added that he was anxious to keep you in the public service and to gratify you, as you had deserved well of the country.

I do not know that you will care to hear these things, but trust that you will appreciate the sympathy and friendly interest which dictates this communication.

Believe me, dear General,

Very faithfully yours,

CHARLES SUMNER.

## CHAPTER XIII.

### OCCUPATIONS IN 1863; EXCHANGE OF PRISONERS.

IT is superfluous to say that on my journey home I was received with the greatest regard and affection by every good and loyal man; and was abused in the most violent and calumnious language, and with the falsest of charges, by every Copperhead newspaper.

At Philadelphia I was received with most enthusiastic attention, and had the pleasure of meeting there especially the Hon. S. M. Felton, president of the Philadelphia & Wilmington Railroad, by whose patriotic exertions my regiment was enabled to get through Baltimore, the first reinforcement to the capital.

On my arrival at the city of New York, I was the recipient of every possible courtesy. One hundred of the leading men and merchants of New York were appointed a committee to invite me to a public dinner, in accordance with the resolutions of a public meeting, containing names and sentiments which make it the proudest memento that any man in this country can show. It will ever be kept most gratefully as a vindication of every act of mine then done in the service of my country, and I shall leave it as the richest heir-loom to those who come after me. A fac-simile of these resolutions is herein most gratefully produced.

I felt obliged to decline this most flattering attention, saying in reply: —

I too well know the revulsion of feeling with which the soldier in the field, occupying the trenches, pacing the sentinel's weary path in the blazing heat, or watching from his cold bivouac the stars shut out by the drenching cloud, hears of feasting and merry-making at home by those who ought to bear his hardships with him, and the bitterness with which he speaks of those who, thus engaged, are wearing his uniform. Upon

the scorching sand, and under the brain-trying sun of the Gulf coast, I have too much shared that feeling to add one pang, however slight, to the discomfort which my fellow-soldiers suffer, doing the duties of the camp and field, by my own act, while separated momentarily from them by the exigencies of the public service.

I promised, at the committee's request, that as soon as might be after I had visited my family and made some necessary arrangements in my private affairs, I would make an address to the good people of New York. This I did, on the 2d of April, 1863, at the Academy of Music. The occasion was thus described in the New York *Tribune* : —

The magnificent assemblage of the choicest of the city, which gathered last evening in the Academy of Music to greet the hero of the Gulf, has seldom been paralleled in the history of this continent. The house was completely filled in every part long before the hour of commencement. . . .

At 7.30 o'clock precisely, Senator Morgan, accompanied by several gentlemen, conducted General Butler upon the stage. Immediately there began a cry of enthusiasm and a scene of excitement which very few people in this city have witnessed. With the thunders of applause, shouts of admiration, waving of hats, bouquets, and handkerchiefs, the whole interior of the Academy, except the roof, was alive and in motion. For several minutes this continued. At last when it had partially subsided, Senator Morgan presented General Butler to the mayor. The presentation was but a pantomime, for the cheering was yet so great that the Senator's words could not be heard.

The mayor then welcomed General Butler, in an exceedingly pertinent and happy address, which was enthusiastically received, the general, who was in citizen's dress, standing the while.

I shall venture to give some extracts from the speech made then and there, to show that my views then of the Rebellion afterwards became the policy of the government, even to reconstruction. I have found no occasion since to change them materially : —

When the mayor had concluded, General Butler advanced, and after the tumultuous applause with which he was again greeted had subsided, he said : —

" Mr. Mayor, with the profoundest gratitude for the too-flattering commendation of my administration of the various trusts committed to me

by the government, which, in behalf of your associates, you have been pleased to tender me, I ask you to receive my most heartfelt thanks. To the citizens of New York here assembled in kind appreciation of my services supposed to have been rendered to the country, I tender the deepest acknowledgments. [Applause.] I accept it all; not for myself but for my brave comrades of the Army of the Gulf. [Renewed applause.]

. . . . . .

"Upon the same theory upon which I felt myself bound to put down insurrection in Maryland, while it remained loyal, whether that insurrection consisted of blacks or whites, by the same loyalty to the Constitution and laws, I felt bound to confiscate slave property in the rebellious State of Virginia. [Applause.] Pardon me, sir, if right here I say that I am a little sensitive upon this subject. I am an old-fashioned Andrew Jackson Democrat of twenty years' standing. [Applause. A voice: "The second hero of New Orleans." Renewed applause culminating in three cheers.] And, so far as I know, I have never swerved, so help me God, from one of his teachings. [Applause.] . . .

"And now, my friends, if you will allow me to pass on for a moment in this line of thought, as we come up to the point of time when those men laid down their constitutional obligations. What were my rights, and what were theirs? At that hour they repudiated the Constitution of the United States, by solemn vote in solemn convention; and not only that, but they took arms in their hands, and undertook by force to rend from the government what seemed to them the fairest portion of the heritage which my fathers had given to me as a rich legacy to my children. When they did that, they abrogated, abnegated, and forfeited every constitutional right, and released me from every constitutional obligation. [Loud cheers.] And when I was thus called upon to say what should be my action with regard to slavery, I was left to the natural instincts of my heart, as prompted by a Christian education in New England, and I dealt with it accordingly, as I was no longer bound. [Immense applause.]

RECONSTRUCTION.

"I am not for the Union as it was. [Great cheering. "Good! Good!"] I have the honor to say as a Democrat, and an Andrew Jackson Democrat, I am not for the Union to be again as it was. Understand me, I was for the Union as it was, because I saw, or thought I saw, the troubles in the future which have burst upon us; but having undergone those troubles, having spent all this blood and this treasure, I do not mean to go back again and be cheek by jowl, as I was before, with

South Carolina, if I can help it. [Cheers. "You're right."] Mark me now; let no man misunderstand me; and I repeat, lest I may be misunderstood (for there are none so difficult to understand as those that don't want to) — mark me again, I say, I do not mean to give up a single inch of the soil of South Carolina. If I had been living at that time, and had the position, the will, and the ability, I would have dealt with South Carolina as Jackson did, and kept her in the Union at all hazards; but now she has gone out, I will take care that when she comes in again she will come in better behaved; that she shall no longer be the firebrand of the Union, ay, that she shall enjoy what her people never yet enjoyed, the blessings of a republican form of government. [Applause.] And, therefore, in that view I am not for the reconstruction of the Union as it was. I have spent treasure and blood enough upon it, in conjunction with my fellow-citizens, to make it a little better [cheers], and I think we can have a better Union. It was good enough if it had been let alone. The old house was good enough for me, but the South pulled the "L" down, and I propose, when we build it up, to build it up with all the modern improvements. [Prolonged laughter and applause.] Another one of the logical sequences, it seems to me, that follow inexorably, and not to be shunned, from the proposition that we are dealing with alien enemies, is, What is our duty with regard to the confiscation of their property? And that would seem to me to be very easy of settlement under the Constitution, and without any discussion, if my first proposition is right. Hasn't it been held from the beginning of the world down to this day? From the time the Israelites took possession of the land of Canaan, which they got from alien enemies, hasn't it been held that the whole of the property of those alien enemies belongs to the conqueror, and that it has been at his mercy and his clemency what should be done with it? And for one, I would take it and give it to the loyal man, who was loyal from the heart, at the South, enough to make him as well as he was before, and I would take the balance of it and distribute it among the volunteer soldiers who have gone forth in the service of their country; and so far as I know them, if we should settle South Carolina with them, in the course of a few years I should be quite willing to receive her back into the Union. [Renewed applause.]

### NO DANGER FROM THE ARMY.

"There never has been any division of sentiment in the army itself. They have always been for the Union unconditionally, for the government and the laws at any and all times. And who are this army? Are they men different from us? Not at all. I see some here that have come back from

the army, and are now waiting to recover their health to go back and join that army. Are they to be any different on the banks of the Potomac or in the marshes of Louisiana, or struggling with the turbid current of the Mississippi than they are here? Are our sons, our brothers, to have different thoughts and different feelings from us, simply because to-day they wear blue and to-morrow they wear black, or to-day they wear black and to-morrow they wear blue? Not at all. They are from us, they are of us, they are with us. The same love of liberty, ay, and you will pardon me for saying it, a little more love for the Union, have caused them to go out than have actuated those who have stayed behind. The same desire to see the Constitution restored has sent them out that animates us; the same love of good government, the same faith in this great experiment of freedom and free government that actuates us actuates them, and there need be no trouble, it seems to me, in the mind of any man upon the question of what is the army to do? There need be no fears. I have seen men, too, good, virtuous, candid, upright, patriotic men, who seem to feel this great increase of the army to be somewhat dangerous to our liberties. Is the army to take away their own liberties? is the army to destroy their own country? is the army to do anything that patriotic men won't do? Oh, no; they answer with universal accord upon that subject. Then where is the danger men see? Why, in the olden time, at the head of large armies, some ambitious man, some ambitious military leader, gets the control of the army and destroys the liberty of the country; but the difficulty is, the examples of nations in the old world are by no means analogies for this. No general of the old world ever commanded such an army; no general of the old world ever had such a country; no general of the old world ever had such a government to fight for, to fight with, to fight under, or will have ever and forever; and no general of the old world, no general thus far on the face of the earth, ever was in a country, where, by elevating his country first, last, and all the time, he might more surely elevate himself. But we do not depend upon either the patriotism, or the ability, or the prudence, or the courage of any one man; we depend upon the courage, the patriotism, and the intelligence of this half million of men in the army who know that the place to regulate government affairs is in the ballot-box, and who, as long as they can get matters regulated, and can have fair-play through the ballot-box, will go home and be much more ready to use the ballot-box than the cartridge-box.

"Therefore, I say to you, sir, let no man have fear on this subject. There are no better friends of free institutions, there are no more inteliigent, no truer men and citizens at home and in peace, than in the army of the United States."

I received similar receptions in Harrisburg, Philadelphia, Portland, and other cities.

At a meeting in my honor at Boston in Faneuil Hall, after a lengthened speech, I remained several hours to receive a hand-shake of three thousand persons. I was invited to a public dinner in the evening and had the most distinguished consideration. A poem was read by New England's most distinguished author, her most charming and cherished poet, Dr. Oliver Wendell Holmes, two lines of which I take leave here to quote from memory :

> "The mower mows on, though the adder may writhe,
> And the copperhead curl round the blade of the scythe."

In the course of my address at Boston I spoke as follows concerning the war debt: —

A question has been a thousand times asked me since I arrived home, how is this great war debt to be paid? That speaks to the material interests. How can we ever be able to pay this war debt? Who can pay it? Who shall pay it? Shall we tax the coming generations? Shall we overtax ourselves? For one — and I speak as a citizen to citizens — I think I can see clearly a way in which this great expense can be paid by those who ought to pay it, and be borne by those who ought to bear it. Let us bring the South into subjection to the Union. We have offered them equality. If they choose it, let them have it. But, at all events, they must come under the power of the Union. And when once this war is closed by that subjugation, if you please, if necessary, then the increased productions of the great staples of the South, cotton and tobacco — with which we ought, and can, and shall supply the world — this increased production, by the immigration of white men into the South, where labor shall be honorable as it is here, will pay the debt. With the millions of hogsheads of the one, and the millions of bales of the other, and with a proper internal tax, which shall be paid by England and France, who have largely caused this mischief, this debt will be paid. Without stopping to be didactic or to discuss principles here, let us examine this matter for a moment. They are willing to pay fifty and sixty cents a pound for cotton; the past has demonstrated that even by the uneconomical use of slave labor, it can be profitably raised — ay, profitably beyond all conception of agricultural profit here — at ten cents a pound. A simple impost of ten cents a pound, which will increase it to twenty cents only, will pay the interest of a war debt double what it is to-day. And that cotton can be more profitably raised under free labor than under

slave labor, no man who has examined the subject doubts. By the imposition of this tax those men who fitted out the Alabama and sent her forth to prey upon our commerce, will be compelled by the laws of trade and the laws of nations to pay for the mischief they have done. So that when we look around in this country, which has just begun to put forth her strength, because no country has ever come to her full strength until her institutions have proved themselves strong enough to govern the country against the will, even the voluntary will of the people — when this government, which has now demonstrated itself to be the strongest government in the world, puts forth her strength as to men, and when this country of ours, richer and more abundant in its harvests and in its productions than any other country on earth, puts forth her riches, we have a strength in men, we have an amount in money, to battle the world for liberty, and for the freedom to do, in the borders of the United States and on the continent of America, that which God, when He sent us forth as a missionary nation, intended we should do. So allow me to return your words of congratulation and your words of welcome, with words of good cheer. Be of good cheer! God gave us this continent to civilize and to free, as an example to the nations of the earth; and if He has struck us in His wrath, because we have halted in our work, let us begin again and go on, not doubting that we shall have His blessing to the end. Be, therefore, I say, of good cheer; there can be no doubt of this issue. We feel the struggle; we feel what it costs to carry on this war. Go with me to Louisiana — go with me to the South, and you shall see what it costs our enemies to carry on this war; and you will have no doubt, as I have none, of the result of this unhappy strife, out of which the nation shall come stronger, better, purified, North and South — better than ever before.

The glory and high honors of my reception by the Northern people cannot be more fully described than it was set forth in an extract from the Richmond (Va.) *Examiner* of even date therewith: —

After inflicting innumerable tortures upon an innocent and unarmed people; after outraging the sensibilities of civilized humanity by his brutal treatment of women and children; after placing bayonets in the hands of slaves; after peculation the most prodigious, and lies the most infamous, he returns, reeking with crime, to his own people, and they receive him with acclamations of joy in a manner that befits him and becomes themselves. Nothing is out of keeping; his whole career and its rewards are strictly artistic in conception and in execution. He was a

thief. A sword that he had stolen from a woman — the niece of the brave Twiggs — was presented to him as a reward of valor.[1] He had violated the laws of God and man. The law makers of the United States voted him thanks, and the preachers of the Yankee gospel of blood came to him and worshipped him. He had broken into the safes and strong boxes of merchants. The New York Chamber of Commerce gave him a dinner. He had insulted women. Things in female attire lavished harlot smiles upon him. He was a murderer, and a nation of assassins have deified him. He is at this time the representative man of a people lost to all shame, to all humanity, all honor, all virtue, all manhood. Cowards by nature, thieves upon principle, and assassins at heart, it would be marvelous, indeed, if the people of the North refused to render homage to Benjamin Butler — the beastliest, bloodiest poltroon and pick-pocket the world ever saw.

I was called to Washington, and the question of my taking command on the Mississippi River was again discussed between the President and myself. He wished me to go on to the Mississippi River from St. Louis down, and examine what, if anything, was being done in the way of civil administration of the several departments, and also to advise him upon the military situation. I heard him fully and told him that I would take that proposition into consideration. When I saw him afterwards he produced an authorization and pass, written wholly by his own hand, dated February 11, 1863, a fac-simile of which is herewith published, and presenting it said: "Now, Butler, if you go down there, and find anything that wants to be set right, report to me and I will put you in command, in the hope that you will also carry out what I indicated to you about enrolling the slaves."

I replied: "And there comes the difficulty, Mr. President. This rather adds to my embarrassment, because if I should be put in command under such circumstances the cry would be that I told tales in order to get for myself a command."[2]

I had learned from Senator Sumner that the President had said he hoped to return me to New Orleans very soon. That was the only

[1] Twiggs' sword, being deposited in the treasury by me, after the war was returned to his daughter, although his reputed mistress, from whose possession it was taken, brought suit against me in New York for it, which I successfully defended.

[2] At that time I did not know, as I now do from the correspondence between McClellan and Halleck, that theretofore there had been fault found with General Grant, so that upon Halleck's grave accusations, McClellan had ordered the removal of Grant from command, and his arrest by Halleck.

Executive Mansion
Washington. February 11. 1863

Whom it may concern.

Major General Butler, bearer of this, visits the Mississippi River, and localities thereon, at my request, for observation. The Military and Naval Commanders, whom he may meet, will please facilitate his passage from point to point, and make him as comfortable as possible during his stay with them respectively. I will thank them also to impart to him such information as they may possess, and he may seek, not inconsistent with the Military service.

A. Lincoln

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FAC-SIMILE OF PRESIDENT LINCOLN'S LETTER.

thing I desired, and I was almost encouraged to think it might happen. Therefore I said to the President: —

"I will go down and serve you on the Mississippi as well as I can in making observations, and will faithfully report everything there as well as I know how, if it shall be understood between us, Mr. President, that when I get through that I shall be sent back to New Orleans."

"I cannot promise you that," said he.

"Very well," said I, "then my service in this behalf would be only in the character of a chief detective."

I now know, but did not know then, why he could not send me back. Seward had already tried to break up his Cabinet by tendering his resignation, and Lincoln had been obliged to ask his return.

Had I fully known how the President's hands were tied, I should have yielded to his wishes and performed the services indicated, however distasteful to me. As it was, the President allowed me to return home, and wait until called upon for other service. This I was glad to be permitted to do, for I had no desire in any way to take service in the field amid the wrangling, the conspiracies, the jealousies, and the enmities of the commanding generals of the army. I knew I was not wanted by McClellan, because he was aware that as a volunteer officer I would under no conceivable circumstances take part with him in aid of a belief and expectation which he had entertained for months, that the army, if successful, would sustain him in his hope of becoming dictator.

I have stated that General McClellan aspired to be "dictator." To have become one on any pretext would simply have been treason of the deepest dye. There was no power in the Constitution, in Congress, or in the President to establish a dictatorship. It could only have been done by an over-turn of our whole system of government. I would not dare to make such an accusation as a matter of history, although very fully credited assertions of such design were rife during his command of the army, did I not have the evidence from his own pen, in "McClellan's Own Story," in confidential letters written to his wife, who, he says, shared his inmost thoughts, and in other statements of his own view of public affairs therein contained. Incredible as it is, "'tis true and pity 'tis, 'tis true."

A dictatorship could have been established only by subduing the people of the country by the armies of the United States.

At the time McClellan was summoned to take charge of our greatest army, his only military achievement had been in a short campaign with a few regiments, a battery, two companies of cavalry and three detached companies.[1] His first action was on the 10th of July, 1861, and was fought without the loss of an officer on his side. His second battle was fought on the 13th of July and resulted in the surrender of the enemy, consisting of one brigade officer, two colonels, twenty-five officers, and five hundred and sixty men. The entire results of the campaign he himself sums up in these words: "Nine guns taken, twelve colors, lots of prisoners, and all this was done with so little loss on our side, ten killed, thirty-five wounded."[2]

Bull Run was fought between the Confederate army with about thirty-five thousand men, of whom three hundred and eighty-seven were killed and eighteen hundred and fifty-two wounded, and the Union army of about thirty thousand men, of whom four hundred and eighty-one were killed, and a thousand and upward wounded.

McDowell was not censured for any action of his in the loss of that battle. He had been in command of his army three months. McClellan had been in command of his brigade twenty days. Contrast the experience of the two generals.

McClellan, the second day afterwards, was sent for from Washington, and on the sixth day after that was put in command of all the forces which could be brought to defend the capital. Let McClellan from his own book tell his own story of how he was received: —

. . . I find myself in a new and strange position here: President, Cabinet, General Scott, and all deferring to me. By some strange operation of magic I seem to have become *the power* of the whole land.[3]

They give me my way in everything, full swing and unbounded confidence. All tell me that I am held responsible for the fate of the nation, and that all its resources shall be placed at my disposal. It is an immense task that I have on my hands, but I believe I can accomplish it. . . . Who would have thought, when we were married, that I should so soon be called upon to save my country?[4]

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[1] McClellan's letter, July 2. "His Story," page 59.
[2] McClellan's letter, July 21. "His Story," page 62.
[3] McClellan's letter, July 27, 1861. "His Story," page 82.
[4] McClellan's letter, July 30, 1861. "His Story," page 83.

He had been in Washington four days. "Upon what meat doth this our Cæsar feed that he is grown so great?"

Came back and had a long interview with Seward about my "pronunciamento" against General Scott's policy. . . . But the old general always comes in the way. He understands nothing, appreciates nothing.[1]

. . . General Scott is the greatest obstacle. I have to fight my way against him. To-morrow the question will probably be decided by giving me absolute control independently of him. I suppose it will result in an enmity on his part against me, but I have no choice; the people call upon me to save the country. I must save it and cannot respect anything that is in the way.

I receive letter after letter, have conversation after conversation, calling on me to save the nation, alluding to the presidency, dictatorship, etc. As I hope one day to be united with you in heaven, I have no such aspiration. I would cheerfully take the dictatorship and agree to lay down my life when the country is saved. [Become dictator and save the country from what? From a republican form of government; from freedom and liberty, — for what? To retain slavery and reduce the white people to subjection to a despotism, — from whom? From Lincoln and the advocates of freedom for all men?] I am not spoiled by my unexpected new position. I feel sure that God will give me the strength and wisdom *to preserve this great nation;* but I tell you, who share all my thoughts, that I have no selfish feeling in this matter. I feel that God has placed a great work in my hands. I have not sought it. I know how weak I am, but I know that I mean to do right, and I believe that God will help me and give me the wisdom I do not possess. Pray for me, that I may be able to accomplish my task, the greatest, perhaps, that any poor, weak mortal ever had to do. God grant that I may bring this war to an end and be permitted to spend the rest of my days quietly with you.[2]

General Scott is the most dangerous antagonist I have. Our ideas are so widely different that it is impossible for us to work together much longer — *tant pour cela*.[3]

I am weary of all this. I have no ambition in the present affairs; I only wish to save my country, and find the *incapables* around me will not permit it.[4]

McClellan had then been only twenty days in Washington. His opinion of himself seems to have risen very rapidly, although in all

[1] McClellan's letter, Aug. 8, 1861. "His Story," page 84.
[2] McClellan's letter, Aug. 9, 1861. "His Story," page 85.
[3] McClellan's letter, Aug. 15, 1861. "His Story," page 87.
[4] McClellan's letter, Aug. 16, 1861. "His Story," page 87.

things else he was constitutionally tardy in all his movements. Was there ever such dog-day madness?

As he [Scott] threw down the glove and I took it up, I presume war is declared. Be it so. I have one strong point, that I do not care one iota for my *present* position.[1]

I enclose a card just received from A. Lincoln. It shows too much deference to be seen outside.[2]

At one time during the autumn of 1861, Secretary Cameron made quite an abolition speech to some newly arrived regiment. Next day Mr. Stanton *urged* me to arrest him for inciting insubordination. He often advocated the propriety of my seizing the government and taking affairs into my own hands.[3]

Mr. Stanton's card came up, and as soon as possible I went down to see him.

He told me that he had been appointed Secretary of War, and that his name had been sent to the Senate for confirmation, and that he had called to confer with me as to his acceptance. . . . If I wished him to accept he would do so, but only on my account; that he had come to know my wishes and determine accordingly. I told him that I hoped he would accept the position.

. . . . . .

Soon after Mr. Stanton became Secretary of War it became clear that, without any reason known to me, our relations had completely changed.

Instead of using his new position to assist me he threw every obstacle in my way, and did all in his power to create difficulty and distrust between the President and myself. I soon found it impossible to gain access to him.[4]

I am becoming daily more disgusted with this administration — perfectly sick of it.[5]

I was obliged to attend a meeting of the Cabinet at 8 P. M., and was bored and annoyed. There are some of the greatest geese in the Cabinet I have ever seen — enough to tax the patience of Job.[6]

I presume the Scott war will culminate this week. Whatever it may be I will try to do my duty to the army and to the country with God's help, and a single eye to the right. I hope that I may succeed. I appreciate all the difficulties in my path; the impatience of the people, the venality and bad faith of the politicians, the gross neglect that has occurred

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[1] McClellan's letter, Sept. 27, 1861. "His Story," page 91.
[2] McClellan's letter, September, 1861. "His Story," page 91.
[3] McClellan's letter. "His Story," page 152.
[4] McClellan's letter. "His Story," page 153.
[5] McClellan's letter, Oct. 2, 1861 "His Story," page 168.
[6] McClellan's letter, Oct. 10, 1861. "His Story," page 169.

in obtaining arms, clothing, etc., and above all I feel in my inmost soul how small is my ability in comparison with the gigantic dimensions of the task, and that even if I had the greatest intellect that was ever given to man, the result remains in the hands of God.[1] I do not feel that I am an instrument worthy of this great task, but I do feel that I did not seek it, — it was thrust upon me; I was called to it. My previous life seems to have been unwittingly directed to this great end, and I know that God can accomplish the greatest results with the weakest instruments. "Therein lies my hope."

It is sickening in the extreme, and makes me feel heavy at heart, when I see the weakness and unfitness of the poor beings who control the destinies of the great country. How I wish that God had permitted me to live quietly and unknown with you. But His will be done.[2]

I have not been home for some three hours, but am concealed at Stanton's to dodge all enemies in the shape of "browsing presidents." I have a set of men to deal with unscrupulous and false. If possible, they will throw whatever blame there is on *my* shoulders, and I do not intend to be sacrificed by such people. I shall trust that the all-wise Creator does not intend our destruction, and that in His own good time He will free the nation from men who curse it, and will restore us to His favor. . . . The people think me all-powerful. Never was there a greater mistake. I am thwarted and deceived by these incapables at every turn.[3] I have one great comfort in all this, — that is, that I did not seek this position, as you well know; and I still trust that God will support me and bear me out. "*He could not have placed me here for nothing.*"

In a memorandum which he sent to the President in August, 1861, he says: —

For the main army of operations [his own] I urge the following composition:

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| 250 Regiments of Infantry, say . . . . | 225,000 men. |
| 100 Field Batteries, 600 Guns, . . . . | 15,000 ,, |
| 28 Regiments of Cavalry, . . . . | 25,500 ,, |
| 5 Regiments Engineer Troops, . . . . | 7,500 ,, |
| Total . . . . . | 273,000 men. |

I therefore feel that the interests of the nation demand that the ablest soldiers in the service should be on duty with the Army of the Potomac, and that contenting ourselves with remaining on the defensive for the

[1] McClellan's letter, Oct. 31, 1861. "His Story," page 172.
[2] McClellan's letter, Nov. 17, 1861. "His Story," page 175.
[3] McClellan's letter, November, 1861. "His Story," page 176.

present at all other points, this army should be reinforced at once by all the disposable troops that the East, and West, and North can furnish. . . .

I would also urgently recommend that the whole of the regular army, old and new, be at once ordered to report here, excepting the mounted batteries actually serving in other departments and the minimum numbers of companies of artillery actually necessary to form the nucleus of the garrisons of our most important permanent works. There should be no delay in carrying out this measure.[1]

The regular troops of all countries are always relied upon by those who seek to become dictators and tyrants to enslave the people.

It is incredible that McClellan could have published his treasonable utterances. Although they are private letters, his family has made them the property of the historian.

What a spectacle! A young man not only receiving many letters — that he could not help — but having a great many conversations with those who were urging him to commit the direst wrong that man could contemplate, and he not ninety days from a peaceful home, and, is there any doubt, using his best influence to get a Secretary of War appointed who is advising him to this treason, and who would be by his energy and strength best fitted to make it successful.

Was he in earnest? He says: "I would cheerfully take the dictatorship and agree to lay down my life when the country is saved." Yet he says in the same letter, with naïve simplicity: "I am not spoiled by my unexpected new position." And this on the 9th day of August, within less than ninety days after he quit the employment of building bridges over railroads, and within fifteen days after he got to Washington, and before he had done a thing or struck a stroke except to get old General Scott out of his way, and in which he succeeded, as we have seen. Not spoiled by his position? A young general who is himself contemplating committing the direst act of treason not spoiled, whose position tempted him to be willing to commit treason when called upon to put down a treasonable rebellion which had then scarcely made head? Not spoiled? Then he must have began as a very bad egg indeed.

He admits that after Stanton became Secretary of War that "instead of using his new position to assist me he threw every obstacle in my way, and did all in his power to create difficulty and distrust

[1] McClellan's letter, Sept. 8, 1861. "His Story," page .

between the President and myself. I soon found it impossible to gain access to him."

"McClellan claims that Stanton got his influence to get into the Cabinet in order to thwart him, but that Stanton was wholly loyal to the country and desirous of having the Rebellion put down and slavery with it." I agree with the general in both propositions. Stanton was thoroughly loyal, and he saw that this aspiring young man was trying to get the army in his possession by getting the appointment of all the officers, and that he had got rid of General Scott. He saw also that McClellan had determined, as he admits, not to prosecute the war if the abolition of slavery were to be accomplished. Seeing these things, Stanton did try to get into the Cabinet to put down the Rebellion and to put down the dictators, too.

There was a crop of dictators about that time, there being several parties which wanted a dictator. One was composed of McClellan's political friends, the Copperheads, who thought there was danger that Mr. Cameron and President Lincoln would carry on the war so as to obliterate both the Rebellion and slavery. Their candidate for dictator, who should take the government, was McClellan. The other party were the over-zealous abolitionists who thought that Lincoln was going too slow in the endeavor of abolishing slavery and who declared that the Constitution was "a league with death and a covenant with hell." Their candidate for dictator was Fremont, as was well known at the time. When he was in command in Missouri, he was flattered into making a proclamation abolishing slavery within the bounds of his command. This attempt President Lincoln dealt with by abolishing that proclamation on the ground that it was one "which could be good only by a dictorial and not by a legal act," as he puts it in his letter to Fremont. Lincoln ever afterwards took care that Fremont should be, if anywhere, in a position where he could do no possible mischief in that direction; and with a genius for administration, he put McClellan, when he thought it safe to so do, in the same category by removing him from command.

A third was the property men of the country, who thought that the expenses of the war were so enormous that it should be immediately ended by negotiation; and the New York *Times*, in an elaborate editorial, proposed that George Law, an extensive manufacturer of New York, should be made dictator for such purpose.

To show how thoroughly McClellan had been corrupted, or corrupted himself, and that he was utterly unfit to serve under the President and his constitutional advisers in putting down the Rebellion, let us see how he spoke of the government and of his relations with it. On the 10th of October he says: "I was obliged to attend a meeting of the Cabinet at 8 P. M., and was bored and annoyed. There are some of the greatest geese in the cabinet I have ever seen — enough to tax the patience of Job." And yet he says: "I will try again to write a few lines before I go to Stanton's to ascertain what the law of nations is on this Slidell and Mason seizure."

I preferred to be foot-loose, and free to take command of volunteers, and stand by Lincoln and constitutional government in the event of an attempted dictator's trip.

Before I had my second consultation with the President I had been examined by the Committee on the Conduct of the War as to the operations in the Department of the Gulf. I gave a report of them generally from memory and substantially as I have already given it here, save that there were some points to which I gave more elaboration, but I believe no substantial difference will be found. I was especially examined upon the question of the capabilities of negroes for soldiers and fighting, and gave the opinion that I have already given here and that I entertain to-day. I believe it was in consequence of those opinions upon that subject so fully expressed to the committee that I was again called in consultation with the President.

In the spring of 1863, I had another conversation with President Lincoln upon the subject of the employment of negroes. The question was, whether all the negro troops then enlisted and organized should be collected together and made a part of the Army of the Potomac and thus reinforce it. He remarked that the States were beginning to organize negro troops, and that I could soon have a large corps, and he wanted me in the Army of the Potomac. I then said to him: —

"Frankly, Mr. President, I do not want to go into the Army of the Potomac. I have never given cause for any prejudice against me by the officers from West Point. Now McClellan has put almost all the brigades in charge of lieutenants, captains, and majors of the regular army, and they all think they are very much my superior in the knowledge of everything pertaining to the art of war. Even

members of my staff, good men and true, have occasionally intruded upon me such belief. When I went to New Orleans, you will remember, I told you when you said something of my taking some place in the Army of the Potomac, that the jealousies, feuds, and embroilments of the various officers were such that I did not believe I could do much good there, and that for that reason I did not want to take any part in the campaigns at Washington, although it



BREVET MAJ.-GEN. J. B. KINSMAN.

certainly appeared the most likely to redound in glory to those who should carry them on, and I still remain of that mind."

We then talked of a favorite project he had of getting rid of the negroes by colonization, and he asked me what I thought of it. I told him that it was simply impossible; that the negroes would not go away, for they loved their homes as much as the rest of us, and all efforts at colonization would not make a substantial impression upon the number of negroes in the country.

Reverting to the subject of arming the negroes, I said to him that I thought it might be possible to start with a sufficient army of white troops, and, avoiding a march which might deplete their ranks by death and sickness, to take them in ships and land them somewhere on the Southern coast. These troops could then come up through the Confederacy, gathering up negroes, who could be armed at first with arms that they could handle, so as to defend themselves and aid the rest of the army in case of rebel charges upon it. In this way we could establish ourselves down there with an army that would be a terror to the whole South.

He asked me what I would arm them with. I told him John Brown had intended, if he got loose in the mountains of Virginia, to arm his negroes with spears and revolvers; and there was a great deal in that. Negroes would know how to use those arms, and the Southern troops would not know how to meet their use of them, and they could be easily transported in large numbers and would require no great expense or trouble in supplying ammunition.

"That is a new idea, General," said he.

"No, Mr. President," I answered, "it is a very old one. The fathers of these negroes, and some of the negroes themselves, fought their battles in Africa with no other weapon, save a club. Although we have substituted the bayonet for the spear, yet as long as the soldier can shoot he is not inclined to use the bayonet. In fact, bayonets are of no use; they are only for show. But probably the time has not come for dropping them."

I ventured to call the attention of the President to the fact that several months had now elapsed since I was relieved from the command of a few troops in the Department of the Gulf, and had up to that time eminent success; but nothing worthy of mention had been done since, although some fifty thousand troops, more or less, had been sent down there.

Our conversation then turned upon another subject which had been frequently a source of discussion between us, and that was the effect of his clemency in not having deserters speedily and universally punished by death. I called his attention to the fact that the great bounties then being offered were such a temptation for a man to desert in order to get home and enlist in another corps where he

would be safe from punishment, that the army was being continually depleted at the front even if replenished at the rear. He answered with a very sorrowful face, which always came over him when he discussed this topic: "But I can't do that, General."

"Well, then," I replied, "I would throw the responsibility upon the general-in-chief and relieve myself of it personally."

With a still deeper shade of sorrow he answered: "The responsibility would be mine, all the same."

I returned home and remained there substantially during the rest of the year, settling up my somewhat extended law business, which I had deserted at a moment's notice, and to which, up to that time, I had paid little attention.

Soon after my return home Hon. Stephen M. Allen, of Massachusetts, called upon me bringing a letter of introduction from the Chairman of the House Committee on the Conduct of the War, the Hon. John Covode, a truer, better, and more patriotic man than whom never lived. We had been, and were to the day of his death, the warmest personal friends. It was he who left his seat at the Capitol and went over to the Treasury and subscribed and paid for the first $50,000 worth of United States bonds that were issued, and when reproached for it by one of his friends, who said: "You will never get anything back, Covode," he answered: "Well, I can live without it."

I said to Mr. Allen: "You need no letter of introduction to me. You and I have been long known to each other, and I recognize you as President of the First Republican Convention of Massachusetts."

He then said that he was sent to me by the Committee on the Conduct of the War to consult with me about the manner in which the war was being conducted, and to see whether I would take part in it and in any event what I would advise to be done about it.

I told him that it was a delicate matter upon which to advise, but that I would express my opinion to him frankly and confidentially, and if the matters which I should propose could be carried out that I would again take part in the war. I said that it seemed to me that the management of the war had got entirely mixed up with politics. Most of the officers of the army were not in accord with the administration. I doubted whether the administration was in accord with itself; there were divisions in it which paralyzed its

efforts. A large majority of the officers of the army were of Democratic inclination, or, to speak more accurately, were in favor of the Union as it was; that is to say, believed in states' rights, including the restoration of the negroes to slavery. Certain it was that the almost universal feeling of the army was against the employing of negroes as soldiers, and that volunteering had so far stopped that unless we were able to conquer the Rebellion with what troops we had it would be very difficult to get many more. I doubted whether the people would be willing to sustain the emancipation proclamation unless the negroes could be so far employed as to show that they were willing to fight for their freedom, a thing which no considerable portion had yet been permitted to do. Great reliance had been placed upon their aid by the people of the North, in the beginning of the war. But instead of aiding us they had quietly stayed at home, taking care of the families of their masters, and raising crops for the support of the Rebellion. The rebel congress had taken advantage of this by exempting from enrolment all slaveholders owning twenty-one slaves or upwards.

I suggested that the war was being carried on in a way which certainly up to that time had not been successful and did not seem to promise many elements of success. The most strenuous effort so far had been an endeavor to capture Richmond by marching troops through the swamps and thick morasses of Virginia, of which we knew nothing, only to be repulsed by the rebels on unknown ground behind fortifications, and to be destroyed by the malarial diseases of the climate and location. There were parts of the Southern States, especially the mountains of North Carolina and Tennessee, the plains and highlands of Georgia and Alabama, which were as healthy for Northern men as they were for Southern men, and our operations therein seemed so far to be rather for local than general conquest. We had had no actually successful result thus far, certainly none adequate to our great superiority of numbers. A course of operations might be pursued by the Confederates with a view of making a Northern invasion, to which they would be induced by the reply of foreign nations when asked for the recognition of the Confederacy, that "it has shown no power as yet save to act on the defensive, and that before it can be recognized it must show capability and means not only to sustain its own territory substantially but to

attack the loyal portions of the United States." If yielding to that, after the paralysis of our operations against Richmond, they should attack the Northern States by marching into Pennsylvania and Ohio, and be successful or show prospect of success, then the North would arouse and probably either volunteer in sufficient numbers, or submit to a draft, which last would be a delicate and somewhat dangerous recourse.

It occurred to me, I said, that instead of expending the greater part of our means substantially to capture an unimportant city, the better way with us would be to throw an army directly into the centre of the Confederacy, or at least, into the eastern part of it, to take, overcome, and hold territory to the utmost extent, leaving troops enough in the North at least to defend itself against the incursion of the enemy. Then, if attacked in the North, we should be acting upon the defensive, and have the advantage against the Confederacy of fighting at home where we knew the ground and where we had our resources. As it was, we had been continually fighting them in one particular part of the Confederacy, where we destroyed nothing of their resources, and did not diminish their capabilities of defending themselves.

I stated that such a plan of operations could be carried on well enough, because Washington was then entrenched and fortified so sufficiently that if defended with half of the Army of the Potomac it could be held against any army that could be brought against it, especially as I thought there might be sufficient drain upon the Confederacy so that they could by no means duplicate their armies, as they certainly could not their resources.

"Therefore," I said, "say to the Committee on the Conduct of the War, that I think that an army of sixty thousand men should be raised, properly armed, equipped, and supplied. Not to be marched through the unhealthy swamps and districts that lie immediately around the southern line of the loyal States, so that before it gets to the proper place, and before it has fired a shot, it will need reinforcements; but land it in North Carolina, or, if thought best, at Mobile, in the centre of Alabama, and move it up, letting it supply itself ruthlessly from the country wherever a smoke-house or corn-barn permits, taking all the negroes that can be collected, giving every inducement for them to accompany the army, letting them supply

themselves as far as possible; and, having swept through Alabama, Georgia, and South Carolina, denuding that territory as far as possible of its black population, let it spend the winter in the pine lands of North Carolina in organizing those negroes into troops with which to go to Richmond the other way. For to take away all the producers, to stop the production of the country and everything else contributing to the power of the Confederacy, and to capture every white man capable of carrying arms, not leaving them there to be conscripted or to join the rebel service, will be such a movement as will determine our strength and the weakness of the Confederacy, for it is but a shell. Assuming the worst, before that army, if properly led, can be captured, there will have to be a very much larger army of the rebels brought upon it, and then our army can be sent down to help us as soon as Washington is relieved, and the fears of the administration for its safety quieted.

"This plan of operations," said I, "is more or less faultless; but if something like this can be done, and I can have permission to get such a force together, and can be allowed to take advantage of the sea, of which up to the present we have made no special use for the purpose of conveying our armaments and our armies, I will take hold and do what I can; and although I am outlawed by the proclamation of Davis, I will venture my own life there, and I will administer to him and his friends some of the law of the outlaw, which is very much needed to be done, as I understand matters. You may report my views substantially to our friends of the committee, and if they want to see me to have any further explanations, I will go to Washington."

I did go to Washington, but at the time I was there, Lee had made a movement into Maryland and Pennsylvania, and fear had seemed to have taken possession of everybody, especially the general-in-chief. Indeed, I was told by one major-general that I had better get out of Washington as he thought it would be in the hands of the enemy in three days. I waited three days, but it was not, and as it was none of my business I came away.

I discussed the propositions above set forth with two or three of the committee, but it was evident nothing could be done.

During the first days of July was fought that most indecisive of all conflicts, the Battle of Gettysburg, of which I may speak here-

after as an illustration of the fact that in none of our battles, even the most successful, did we obtain what is known to military history as a victory, which I understand to be a conflict between two armies in which one is overcome, and its efficiency as an army substantially destroyed. The army in this case was only repulsed, and allowed quietly to retreat across the Potomac in a condition not to be further molested by our army.

There is one episode in my life of the greatest possible interest and importance, not only to myself personally but to the whole country. It caused the deepest feeling and the most acrimonious discussion, and as the true history of it is necessary to be stated at some length, it may as well be done here as elsewhere, as it wholly disconnects itself from any subsequent phase of my history.

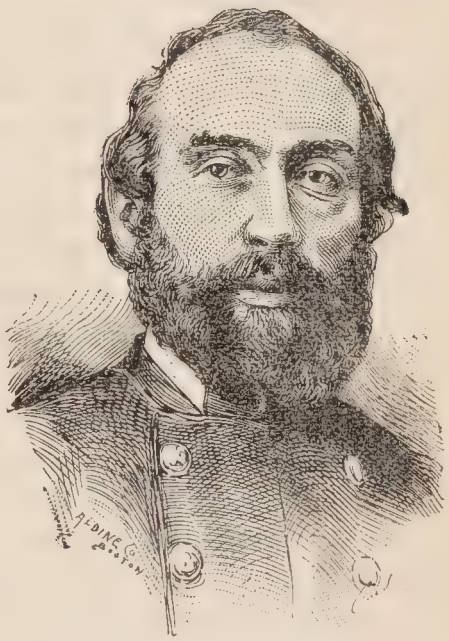
Fortress Monroe was the point from which all exchange of prisoners, east of the Alleghanies, had been made during the disagreement between the commissioners of exchange on the part of the United States, and the rebel commissioner, Mr. Ould. This disagreement was substantially as to the number which had been determined and credited on either side, and in consequence of it all exchange of prisoners had ceased. The rebels were confessedly in debt to us in a balance of some eighteen thousand prisoners for whom they had given us no equivalent.

Major-Generals Grant and Banks had paroled large numbers of prisoners at Port Hudson and Vicksburg. If they had been held as prisoners they could not have been put again into the Confederate service without a corresponding number being given us in exchange. The fact that these men were soon afterwards re-enlisted was claimed by us to be a breach of the cartel on the part of the Confederates. Meanwhile our prisoners, to the number of some thirteen thousand, were suffering and dying by cold and starvation in Richmond and elsewhere, while we held in our prisons some twenty-six thousand of the rebel officers and men well cared for, properly clothed, and well fed.

I had been appointed to the command of the Department of Virginia and North Carolina Nov. 2, 1863, and subsequently commissioner for the exchange of prisoners.

Upon assuming command my attention was called to the suffering of the prisoners at Belle Isle and Libby Prison, at Richmond. In

consultation with the Secretary of War, I proposed retaliation by placing the rebel officers held by us in a condition identical, as nearly as possible, as to shelter, clothing, fuel, and food, with that of our soldiers at Richmond, with notice to the Confederate authorities that any alleviation of the condition of our men, duly certified to us, would at once be followed by a corresponding difference in favor of their prisoners in our hands. The Secretary of War, feeling deeply the hardships of our captured soldiers, approved of the suggestion, and gave me permission to carry the plan into execution. This I proposed to do by placing Confederate officers to the number of some three thousand, either upon Hatteras Bank or at Sewall's Point near Fortress Munroe, both of which were nearly isothermal with Richmond in climate, and there treating them with scrupulous exactness to the same shelter, clothing, and fare which our men received, furnishing them while thus faring, with plenty of pens and paper, and every facility for communicating with the Confederacy. The effect could not be doubted. While I was engaged in preparing a proper encampment, the subject was referred by the Secretary of War to the general-in-chief of the army, Halleck, and my plan was abandoned.[1]



GEN. J. W. SHAFFER.

Learning unofficially that the Confederates were anxious to exchange the prisoners actually held in custody by us, and were willing to give man for man and officer for officer so held, except colored soldiers, I proposed to the Secretary of War the plan of so exchanging until we had exhausted all our prisoners held by the rebels, and as we should then have a surplus of some ten thousand, to hold these as hostages for our colored troops, of whom the rebels held only hundreds, and to retaliate upon this surplus such wrongs

[1]See Appendix No. 1.

as the rebels might perpetrate upon our soldiers. This was set out in a letter to the Secretary of War.[1]

About the 16th of December the business of exchange was confided to me. In pursuance of my plan I sent Major Mulford, assistant agent of exchange (to whose faithfulness to his duties, and unvarying kindness to the unfortunates under his charge of both armies, I bear most cheerful witness), with some five hundred Confederates up to City Point with a proposal to deliver them for a like number of our men. It seemed to me quite certain that the Confederate authorities could never withstand the pressure of the friends of these prisoners, who, after being brought in sight of their homes and liberty, should be sent back to a prison because their government would not give an equivalent for them. I was still more certain that when a black soldier, or, as they regarded him, a piece of property, was to be the only equivalent to be given for their own sons and brothers, and those not held by us in equal numbers but in a ratio of twenty to one, the Confederate general could not control his troops if the exchange was not acceded to.

The event justified the experiment. More than an equivalent for those sent up were sent down by the rebels. Debates were held in the rebel cabinet on the subject, with a decided division of opinion. It was finally decided that the United States Government should be notified that as General Butler had been outlawed by Mr. Davis' proclamation, in company with all officers who should command negro troops, they would not treat with him as agent of exchange. In this way it was supposed the issue presented by the United States commissioner might be avoided. A letter to this effect was forwarded by Mr. Ould under date of December 27. This letter was promptly returned, with the information that the government did not recognize the right of the rebel authorities to outlaw its officers, and that neither General Butler nor his officers could be intimidated from the performance of their duties by any such threats, and that the government knew how to protect itself and retaliate outrages upon their persons.

The Virginia legislature, as I was informed, passed a resolution asking Mr. Davis to reverse the outlawry and recognize General

[1] See Appendix No. 2.

Butler. After some delay another boatload of prisoners was sent up and exchanged.

Learning that the Union prisoners in the South were suffering from the small-pox, I took the responsibility of forwarding to the rebel commissioner for their use, vaccine matter sufficient for six thousand vaccinations, with information that as much more as was required would be furnished. No more was ever asked for. My action in this regard was approved by the War Department.[1]

Finding the expedient of refusing to recognize the United States commissioner ineffectual, they renewed negotiations, and after some delay the exchange of sick and wounded officers and soldiers went on. During this delay the Confederate prisoners at Point Lookout were informed of the action of their authorities, and at my request, by the direction of the President, each one of them was called upon to answer and sign his name to these questions: —

*First*, Whether he desired to be sent South for exchange.

*Second*, Whether he desired to take the oath of amnesty prescribed by the President's proclamation, and be allowed to return to his home in our lines.

Or, *Third*, whether he desired to enlist in the military or naval service of the United States.

Of the ten thousand prisoners at Point Lookout, two regiments of infantry were enlisted, and many recruits went into the navy upon the solemn engagement that they should not be sent South to fight their rebel brethren. These regiments were afterwards sent to General Pope to fight the Indians, and did good service during the war. Thus, more than two thousand men and two millions of dollars in expense of recruitment and bounties were saved to the loyal States.

This work was done by a young officer from Salem, Massachusetts, Col. Charles A. R. Dimon. He went out with me with the three months men, and I later promoted him to be a colonel. He took command of this enlisted regiment, which did most efficient service.

On the 29th of March I received this letter from Mr. Ould, agent of exchange: —

[1] See Appendix No. 3.

C. S. Steamer Roanoke,
Mouth of James River, March 29, '64.

Maj.-Gen. B. F. Butler, U. S. Agent of Exchange:

*Sir:* — I am here for the purpose of having a conference with you in relation to matters connected with the delivery and exchange of prisoners.

Respectfully, yr. obt. svt.,

Ro. Ould,

*C. S. Agent of Exchange.*

Deeming this a full abnegation of the refusal to treat with me, and a virtual withdrawal of the proclamation of outlawry, I invited Mr. Ould to meet me at Fortress Monroe. Here a full and free conference and discussion was had upon all questions in relation to exchange. The discussion convinced me that although Mr. Ould made the non-delivery of slaves a *sine qua non*, yet, after the other exchanges had been made, a slight experiment of retaliation of the treatment received by the colored soldiers would release them. The result of this negotiation was communicated to the War Department by the following letter: —

Headquarters Department of Virginia and North Carolina,
Fortress Monroe, April 9, 1864.

Hon. E. M. Stanton, Secretary of War:

*Sir:* — Upon the last flag of truce boat which carried up Confederate prisoners in our hands, I sent up from Point Lookout some four hundred and odd prisoners, being the wounded and sick Confederates who were sufficiently convalescent to bear the voyage.

Upon the return of the boat, I was informed by Major Mulford, that the Confederate agent of exchange would meet me on the James River on Wednesday, the 29th day of March. Accordingly I received notice from Admiral Lee, late in the evening of that day, that a flag of truce boat was seeking communication at the outer picket line of the blockading fleet at the mouth of the James River.

The same messenger brought a communication from Robert Ould, Esq., agent of exchange of the authorities of the belligerents at Richmond, directed to Major-General Butler, agent for the exchange of prisoners on behalf of the United States, signed with the official signature of "Robert Ould, Agent of Exchange, Confederate States," informing me

that he was then on board of the Confederate States steamer Roanoke and desired an interview upon the subject of exchange.

Deeming this to be an official recognition of the commissioner of exchange of the United States, on behalf of the belligerent authorities at Richmond, and an abnegation of the letter to General Hitchcock, commissioner of exchange, of the date of Dec. 27, 1863, refusing to treat with myself as commissioner of exchange on the part of the United States, I sent Major Mulford with a steamer, to officially inform Mr. Ould that I would confer with him as proposed, and suggested as a matter of comfort to both parties that he should meet me with his assistant at Fortress Monroe. Owing to the darkness and storminess of the weather, he was not able to come down the river until the following day.

Upon meeting, Mr. Ould informed me that most of the soldiers of the United States, in the hands of his authorities, had been sent to Americus, Ga., for the convenience of furnishing them with food, and for the purpose of relieving us from the temptation of continual movements upon Richmond for the purpose of their liberation, and that in further exchange, he would desire to have these prisoners delivered to us at Fort Pulaski in Savannah River, and urged as a reason that it was more desirable to have them come by sea than to suffer the discomfort of a ride of many hundred miles by railroad. From motives of tenderness to the prisoners, and to prevent their being broken down by the journey, I assented that in case the exchange went forward, our government would receive those prisoners at that point, although the expenditure would be much heavier than at City Point; but leaving that question, as well as the one whether the prisoners held by us in the West might not be delivered somewhere on the Mississippi River, and thus save an expensive land transportation, to be adjusted by future conference, after other questions of more moment were settled.

We then proceeded to discuss the points of difference which had arisen in the matter of exchange, and the points reduced themselves to a few, which for more convenience for reference were put on a memorandum. I confess, that excepting the first point, as to persons of color, which I beg leave to discuss last, I can see no reason why an agreement upon all points of difference cannot be arrived at, upon just and equitable terms.

In regard to the paroles, the Confederate commissioner claims nothing, so far as I can see, which he is not willing to concede to us, acting under the cartel, and our general orders, with the exception that I believe on both sides it should be yielded that as well before as subsequently to Order No. 207 of July 3, 1863, paroles should not be accepted by

either belligerent, of officers or soldiers, who were not so far in the power of the captor as to be taken to a place of safety, and I believe this proposition will be agreed to by the Confederate commissioner, although for paroles given prior to July 3d, I was at a loss to answer the fact claimed, which I suppose to be the fact, that paroles of prisoners taken on raids had been insisted upon on behalf of the United States, as in the case of Kilpatrick's first expedition to Richmond, and had been allowed and counted by the Confederate authorities.

All other points of difference were substantially agreed upon so that the exchange might go on readily and smoothly, man for man and officer for officer, of equal rank, and officers for their equivalents in privates as settled by the cartel. The first point of difference between the parties may be succinctly stated thus : —

The Confederates had asserted by and through the proclamation of their President and an act of their congress that all officers commanding colored troops, instead of being paroled for exchange as prisoners, should be delivered over to the governors of the States to be tried and convicted by their State tribunals of aiding the servile insurrection ; and that the colored soldiers serving in the armies of the United States, when captured, should be treated as slaves and turned over to their masters or confiscated to the government as property. This, the United States claimed, was a breach of the cartel by which it was agreed that all the officers and soldiers of either government should be exchanged man for man and officer for officer.

It will be remembered that by the declaration and proclamation of Jefferson Davis, of Dec. 23, 1862, all officers commanding colored troops were to be delivered over to the governors of States to be punished under their laws for inciting negro insurrections, which is a paraphrase for punishment by ignominious death, and that the colored soldiers so commanded were not to be treated as prisoners of war, but were to be turned over to their masters to hard labor as slaves, and that this was substantially the recommendation of Mr. Davis' message to the Confederate congress, and that an act was passed substantially in accordance with this recommendation. Now, while it may be conceded as a usage of civilized warfare, that prisoners of war necessarily supported by the capturing government may be employed by that government to labor upon public work, yet it has never been among nations making professions of Christianity, held that captives of war, either by land or sea, could be made slaves. And it will also be remembered, that the United States Government went to war with Tripoli and other Barbary powers in 1804, to force them at the cannon's mouth to repudiate this doctrine. It will be seen

that the Confederate commissioner, however, has so far modified his claim, that officers in command of colored troops and free negroes, although both may be serving in company with slaves as soldiers in the army of the United States, are to be treated as prisoners of war, so that the question of difference between us now is not one of color, because it is admitted now that free black men of the loyal States are to be treated as prisoners of war. But the claim is that every person of color who ever was a slave in any of the eleven Confederate States, shall not be treated as prisoners of war, but when captured are to be deemed to be slaves, and may be turned over to their masters as such, by the Confederate government.

Now, as the United States Government has by the proclamation of the President, and by the law of Congress, emancipated all slaves that have sought refuge within the lines of the Union army, declared that they shall never be returned to their masters, and as men heretofore slaves, when duly enrolled in the United States army must be deemed and taken to be within the Union lines, therefore, we have no slaves in our army, and the question is whether we shall permit the belligerents opposed to us to make slaves of the free men that they capture in our uniform, simply because of their color; because upon no ground of national law, so far as I am advised, can it be claimed for a moment that to any slave from any State when found within our lines, any right of property can attach in behalf of his former master, because treating the slave as property, only his captured by us from a belligerent would give the captor the right of property, the *jus disponendi*, and we have exercised that right of disposition by making him free.

But suppose we had not done so, recapture on land by the Confederate forces, treating them as representatives of a government, would make the slave as an article of property, the property of the government that captured him, and would by no means revest the title in the former owner.

To use an illustration which has occurred to my mind, suppose on land we captured from the rebels a horse belonging to "A"; that horse is disposed of by our government taking it into its own service, and it is afterwards recaptured by the Confederate forces; would there be any doubt that the property in the animal would have been divested from the original owner A, by the first capture, and come to the United States, and then been taken from the United States and given to the Confederate government by the recapture?

Further, to permit this would be a violation of the laws of some of these very Confederate States. Virginia has emancipated her slaves by pro-

visions which no one can doubt must be held according to any usage to be operative within the lines of the United States army. Many slaves are thus made free who are now in our army, and we cannot, of course, suffer them to be enslaved by the fact of capture by the rebels.

I understand this right to thus dispose of black soldiers in arms to be made a *sine qua non* by the Confederates, and therefore I take leave to suggest that I may be instructed to settle with the Confederate commissioner, upon further conference with him, all points of difference except this, and to declare exchanged, numbers equal on either side, heretofore delivered and paroled, so that this point may be left standing out sharply alone, and in regard to it, to insist that the cartel applies, as it does apply, to these colored prisoners of war, and that no further exchange can go on by the delivery of prisoners captured, until this point is yielded, with the purpose, but not with the threat, of exact retaliation, in exact kind and measure, upon their men, of the treatment received by ours.

Awaiting instructions, I have the honor to be,

Very respectfully, your obedient servant,

BENJ. F. BUTLER,

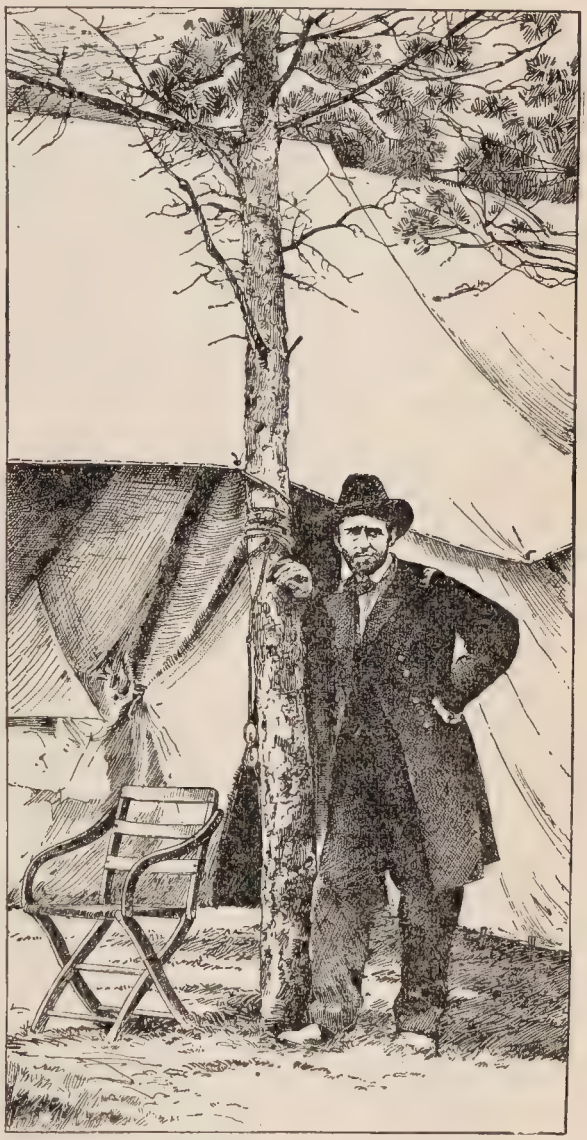
*Maj.-Gen. and Commr. of Exchange.*

Mr. Ould left on the 31st of March with the understanding that I would get authority and information from my government by which all disputed points raised could be adjusted, and would then confer with him further, meeting him either at City Point or elsewhere for that purpose. In the meantime the exchange of sick and wounded and special exchanges were to go on.

Lieutenant-General Grant visited Fortress Monroe on the 1st of April. This was the first time I ever met him. To him the state of the negotiations as to exchange was communicated, and most emphatic verbal directions were received from the lieutenant-general not to take any steps by which another able-bodied man should be exchanged until further orders from him.

He then explained to me his views upon these matters. He said that I would agree with him that by the exchange of prisoners we got no men fit to go into our army, and every soldier we gave the Confederates went immediately into theirs, so that the exchange was virtually so much aid to them and none to us. For we gave them

well men who went directly into their ranks, — and we had but few others, as the returns showed. Yet we received none from them substantially but disabled men, and by our laws and regulations they were to be allowed at once three months' furlough and were taken to camps and allowed to go home to recuperate, which few of them did, and fewer still came back to our armies. Now, the coming campaign was to be decided by the strength of the opposing forces, for the contest would all centre upon the Army of the Potomac and its immediate adjuncts. His proposition was to make an aggressive fight upon Lee, trusting to the superiority of numbers and to the practical impossibility of Lee getting any considerable reinforcements to keep up his army. We had twenty-six thousand Confederate prisoners, and if they were exchanged it would give the Confederates a corps, larger than any in Lee's army, of disciplined veterans better able to stand the hardships of a campaign and more capable than any other. To continue exchanging upon parole the prisoners captured on one side and the other, especially if we captured more prisoners than they did, would at least add from thirty to perhaps fifty per cent. to Lee's capability for resistance.



GEN. U. S. GRANT.
From a Photograph taken in Field.

Or, if the Confederates chose to turn them against Sherman they would bring his force to such inferiority in numbers as to determine his campaign. While the great sufferings of our prisoners remaining in their hands was much to be regretted, yet, being held, it gave us their equivalent and many more, because in their desperation the rebels would have no hesitation in putting, as they had done, their paroled prisoners before exchange was declared, directly into their armies, which we had never done; and this ought to be taken into consideration as to the question of exchange. He was further inclined to think that if exchanges were to cease that fact would take away the great temptation to that class of our soldiers who were not Americans, or if Americans who had not enlisted voluntarily into our armies or were induced by great bounties to do so, to surrender themselves prisoners so as to escape the perils of the campaign and be exchanged and go home. If these men came back at all, it was only upon the temptation of still larger bounties. Therefore one of our prisoners detained in custody in rebel hands was equivalent to at least three soldiers in the rebel line. He concluded by saying that at all hazards exchanges were to be stopped.

I told him that I had no doubt, as I had expressed it in a letter to the Secretary of War, that all the points of difference between us would be yielded by the rebels, except the question of the exchange of our colored soldiers captured by them. I said I doubted whether, if we stopped exchanging man for man, simply on the ground that our soldiers were more useful to us in rebel prisons than they would be in our lines, however true that might be, or speciously stated to the country, the proposition could not be sustained against the clamor that would at once arise against the administration. For such a course would be thought to be a sanction and permission by the government to the rebels to continue the alleged starvations, hardships, and slow torture. I doubted whether the government could or would stand the pressure of our people, intensified, as it would be, by the letters, communications, and complaints of all our prisoner soldiers; and I suggested that the effect of this course was well worth considering because of the use the Copperhead party would make of it in the coming presidential election which was to be debated while we were carrying on the coming political campaign.

I said to him further that as commissioner of exchange I was subject to a great deal of animadversion and it was alleged that on account of my proposition prisoners had not been exchanged, and I called his attention to certain newspaper articles in that direction, which he knew were unjust. These attacks had been made because I had tried by retaliation to enforce good treatment of the prisoners, and had opened the exchange (which, when I came to Fortress Monroe, had been closed for some months), by exchanging soldier for soldier and officer for officer, not pressing upon the rebels the question of the exchange of colored soldiers. I then suggested to him that that exchange could not be made without a repeal of the act of the Confederate congress which had adopted the provisions of outlawry of Davis' proclamation against all officers who should serve with colored troops, who were to be turned over for condign punishment. Besides the question would probably have a great influence upon the planters, who were exempt from conscription if they owned twenty or more slaves. These men dreaded exceedingly the effect of our proclamation of emancipation and the enrolment of their slaves in our army, because it induced their slaves to desert, and so brought the planters within the Confederate law of conscription and enrolment. Therefore I felt sure that the treatment of their captured slaves enrolled in our army as prisoners of war, and the recognition of equality with other officers of those commanding colored troops, would be the last requirements for exchange to which the rebels would surrender.

I further said that we could not enforce a new draft during the presidential campaign, however much our armies might be disabled, and therefore we could not abandon to death, or treatment worse than death, our colored soldiers, and as soon as it would be understood we had done so, the enlistment of colored soldiers would substantially cease. It was hard enough now, to get the proper class of officers to take command of colored troops, and it would be still more difficult if they were to be exposed to the threatened action of the Confederacy against them. Therefore, we could not give up the colored troops question in matters of exchange, and we must insist on protecting them and their officers, in the strongest and most effective terms and requirements, enforcing retaliation to the last degree in case the rebels insisted upon carrying out their act of congress upon the proclamation of Davis.

I said further that I had no doubt that if we put this stoppage of exchange upon this proposition, keeping that to the front, the patriotism, heartiness, and conceptions of justice of every right-minded man would sustain us in that very vital and dignified position which became us as a nation; so that if the rebels stopped the exchange upon such grounds and no other, the question properly stated to the country would assist the administration politically, rather than do it harm; and that therefore I would put forward this view of the question in a communication to the Secretary of War with all the strength of which I was master.

I suggested to him that perhaps meanwhile a limited exchange of the sick and wounded might go on, and that I would take care that the Confederates should have all their men who were not in condition to go into service in exchange for such men as they sent us who were in like condition.

He approved of my suggestions as to the course to be taken, and said he would confer with the secretary upon that subject upon receipt of my communication.

Before we parted he told me not to make any more exchanges of prisoners until the terms and questions were determined at Washington.

On the 14th day of April I received notice by telegraph that my letter of the 9th with the accompanying papers had been referred to General Grant for his orders,[1] and on the 20th of April I received a letter of instructions from General Grant.[2]

These instructions in the then state of negotiations rendered any further exchange impossible and retaliation useless. Being anxious that this unfortunate state of the question should not affect the sick and wounded, I telegraphed as follows: —

FORTRESS MONROE, April 20, 1864.

Lieutenant-General Grant's instructions shall be implicitly obeyed. I assume that you do not mean to stop the special exchange of the sick and wounded now going on.

BENJ. F. BUTLER,

*Major-General and Commissioner of Exchange.*

And to that telegram I received the following reply: —

[1] See Appendix No. 4.

[2] See Appendix No. 5.

WASHINGTON, April 20, 1864, 9.30 P. M.

To MAJ.-GEN. B. F. BUTLER:

Receive all the sick and wounded the Confederate authorities will send you, but send no more in exchange.

U. S. GRANT,
*Lieutenant-General.*

To obtain the delivery of even sick and wounded prisoners without any return would be a somewhat difficult operation, save that the enemy by giving us our wounded and sick in their hands, we retaining all the rebel sick and wounded in ours, burdened us with the care and cost of all the sick and wounded of both sides, an operation of which it is difficult to see the strategic value, and is only to be defended because of its humanity in rescuing our wounded from the destitution and suffering permitted to them by the Confederates.

Nothing further was done with the exchange save to receive from Richmond such sick and wounded as they delivered to us, till the 15th of August, when I received a note from Major Mulford, assistant agent of exchange, from which the following is extracted: —

The Confederate authorities will exchange prisoners on the basis heretofore proposed by our government, that is, *man for man.* This proposition was *proposed* formally to *me* after I saw you. Shall I come to you before I arrange to go up river again for wounded? I intend to leave there Wednesday morning unless you direct otherwise. . . .

To this I telegraphed the following reply: —

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
IN THE FIELD, Aug. 16, 1864, 8.15 A. M.

MAJOR MULFORD, AGENT OF EXCHANGE, FORTRESS MONROE:

Bring up with you General Walker to be exchanged for General Bartlett, and what wounded Confederate officers there are at the hospitals at Fortress Monroe.

Also send for Captain Woolford. I do not want any women for this trip from Norfolk or Fortress Monroe.[1] Come up as soon as you can with the New York.

BENJ. F. BUTLER,
*Major-General Commanding.*

[1] Many Southern women, claiming to be from the North, made application to be sent South by flag of truce boat, and in some instances passage had been given; but it was ascertained that most of them were female Southern spies, who conveyed information to the enemy.

The flag of truce steamer New York appeared off City Point on the 18th of August, causing the following telegraphic correspondence, which testifies as well to the anxiety of the commissioner of exchange to protect, so far as he could, our imprisoned soldiers from suffering and the retaliatory measures of the rebels, as to the fear of the lieutenant-general lest any further exchange of prisoners should be effected: —

City Point, Aug. 18, 1864.

General Butler:

I see the steamer New York has arrived. Is she going to Aiken's Landing or elsewhere under flag of truce?

U. S. Grant,
*Lieutenant-General.*

[*Telegram.*]

Headquarters Department of Virginia and North Carolina,
In the Field, Aug. 18, 1864.

Lieutenant-General Grant, City Point:

Steamer New York is to go to Aiken's Landing under flag of truce, at which place she is to receive certain communications and special exchanges, among whom is General Bartlett, and to arrange a meeting between Commissioner Ould and myself for a conference in regard to the treatment of our prisoners and some cases of retaliation.

Benj. F. Butler,
*Major-General Commanding.*

Finding how fearfully sensitive the lieutenant-general was lest Sherman's defeat should be insured and our safety compromised, and not then knowing what information the lieutenant-general had of the force of the enemy in Sherman's front, and having but to obey the orders of my superior, the following telegram was sent to assure him that I should take no steps in opposition to his wishes: —

Aug. 18, 1864, 4 P. M.

Lieutenant-General Grant:

Telegram received. No exchange has been or will be made by me which will give the enemy any advantage. . . . I have exchanged nobody but wounded men since the first of May except surgeons, non-combatants, and a few cases of special exchange. . . .

Benj. F. Butler,
*Major-General and Commissioner of Exchange.*

Accident prevented my meeting the rebel commissioner, so that nothing was done. But after conversation with General Grant I wrote an argument showing our right to our colored soldiers in reply to the proposition of Mr. Ould to exchange all prisoners of war either side held, man for man, officer for officer. This argument set forth our claims in the most offensive form possible yet consistent with ordinary courtesy of language, for the purpose of carrying out the wishes of the lieutenant-general that no prisoners of war should be exchanged, and was published, so as to bring a public pressure by the owners of slaves upon the rebel government to forbid their exchange. Here is the letter : —

ROB. OULD, ESQ., C. S. AGENT OF EXCHANGE:

In May last I forwarded to you a note, desiring to know whether the Confederate authorities intended to treat colored soldiers of the United States army as prisoners of war. To that inquiry no answer has yet been made. To avoid all possible misapprehension or mistake hereafter as to your offer now, will you now say whether you mean by "prisoners held in captivity," colored men, duly enrolled and mustered into the service of the United States, who have been captured by the Confederate forces; and if your authorities are willing to exchange *all* soldiers so mustered into the United States army, whether colored or otherwise, and the officers commanding them, man for man, officer for officer?

At an interview which was held between yourself and the agent of exchange on the part of the United States at Fortress Monroe in March last, you will do me the favor to remember the principal discussion turned upon this very point; you, on behalf of the Confederate government, claiming the right to hold all negroes who had heretofore been slaves and not emancipated by their masters, enrolled and mustered into the service of the United States when captured by your forces, not as prisoners of war, but upon capture to be turned over to their supposed masters or claimants, whoever they might be, to be held by them as slaves.

By the advertisements in your newspapers calling upon masters to come forward and claim these men so captured, I suppose that your authorities still adhere to that claim. That is to say, that whenever a colored soldier of the United States is captured by you, upon whom any claim can be made by any person residing within the States now in insurrection, such soldier is not to be treated as a prisoner of war, but is to be turned over to his supposed owner or claimant, and put at such labor or

service as that owner or claimant may choose, and the officers in command of such soldiers, in the language of a supposed act of the Confederate States, are to be turned over to the governors of States, upon requisitions, for the purpose of being punished by the laws of such States for acts done in war in the armies of the United States.

You must be aware that there is still a proclamation by Jefferson Davis, claiming to be chief executive of the Confederate States, declaring in substance that all officers or colored troops mustered into the service of the United States were not to be treated as prisoners of war, but were to be turned over for punishment to the governors of States.

I am citing these public acts from memory, and will be pardoned for not giving the exact words, although I believe I do not vary the substance and effect.

These declarations on the part of those whom you represent yet remain unrepealed, unannulled, unrevoked, and must, therefore, be still supposed to be authoritative. By your acceptance of our proposition, is the Government of the United States to understand that these several claims, enactments, and proclaimed declarations are to be given up, set aside, revoked and held for naught by the Confederate authorities, and that you are ready and willing to exchange, man for man, those colored soldiers of the United States duly mustered and enrolled as such who have heretofore been claimed as slaves by the Confederate States, as well as white soldiers?

If this be so, and you are so willing to exchange these colored men claimed as slaves, and you will so officially inform the Government of the United States, then, as I am instructed, a principal difficulty in effecting exchanges will be removed.

As I informed you personally, in my judgment, it is neither consistent with the policy, dignity, nor honor of the United States, upon any consideration to allow those who by our laws, solemnly enacted, are made soldiers of the Union, and who have been duly enlisted, enrolled, and mustered as such soldiers, who have borne arms in behalf of their country, and who have been captured while fighting in vindication of the rights of that country, not to be treated as prisoners of war, and remain unexchanged, and in the service of those who claim them as masters; and I cannot believe that the Government of the United States will ever be found to consent to so gross a wrong.

Pardon me if I misunderstood you, in supposing that your acceptance of our proposition does not in good faith mean to include all the soldiers of the Union, and that you still intend, if your acceptance is agreed to, to hold the colored soldiers of the Union unexchanged, and at labor or service, because I am informed that very lately, almost con-

temporaneously with this offer on your part to exchange prisoners, and which seems to include *all* prisoners of war, the Confederate authorities have made a declaration that the negroes heretofore held to service by owners in the States of Delaware, Maryland, and Missouri are to be treated as prisoners of war when captured in arms in the service of the United States. Such declaration that a part of the colored soldiers of the United States were to be treated as prisoners of war would seem most strongly to imply that others were not to be so treated, or, in other words, that colored men from the insurrectionary States are to be held to labor and returned to their masters, if captured by the Confederate forces while duly enrolled and mustered into, and actually in, the armies of the United States.

In the view which the Government of the United States takes of the claim made by you to the persons and services of these negroes, it is not to be supported upon any principle of national or municipal law.

Looking upon these men only as property, upon your theory of property in them, we do not see how this claim can be made, certainly not how it can be yielded. It is believed to be a well-settled rule of public international law, and a custom and part of the laws of war, that the capture of movable property vests the title to that property in the captor, and therefore when one belligerent gets into his full possession property belonging to the subjects or citizens of the other belligerent, the owners of that property are at once divested of their title, which vests in the belligerent government capturing and holding such possession. Upon this rule of international law all civilized nations have acted, and by it, both belligerents have dealt with all property, save slaves, taken from each other during the present war.

If the Confederate forces capture a number of horses from the United States, the animals immediately are claimed to be, and, as we understand it, become the property of the Confederate authorities.

If the United States forces capture any movable property belonging to persons in the Rebellion, by our regulations and laws, in conformity with international law and the laws of war, such property is to be held by our government as its property. Therefore, if we obtain possession of that species of property, known to the laws of the insurrectionary States as slaves, why should there be any doubt that the title to that property, like any other, vests in the United States?

If the property in the slave does so vest, then the "*jus disponendi*," the right of disposing of that property, rests in he United States.

Now, the United States have disposed of the property which they have acquired by capture in slaves taken by them, by giving that right of

property to the man himself, to the slave; i. e., by emancipating him and declaring him free forever, so that if we have not mistaken the principles of international law and the laws of war, we have no slaves in the armies of the United States. All are free men, being made so in such manner as we have chosen to dispose of our rights in them, which we acquired by capture.

Slaves being captured by us, and the right of property in them thereby vested in us, that right of property has been disposed of by us by manumitting them, as has always been the acknowledged right of the owner to do to his slave. The manner in which we dispose of our property while it is in our possession, certainly cannot be questioned by you.

Nor is the case altered if the property is not actually captured in battle, but comes either voluntarily or involuntarily from the belligerent owner into the possession of the other belligerent. I take it no one would doubt the right of the United States to a drove of Confederate mules or a herd of Confederate cattle, which should wander or rush across the Confederate lines into the lines of the United States army. So, it seems to me, treating the negro as property merely, if that piece of property passes the Confederate lines and comes into the lines of the United States, that property is as much lost to its owner in the Confederate States, as would be the mule or ox, the property of the resident of the Confederate States which should so come into our possession.

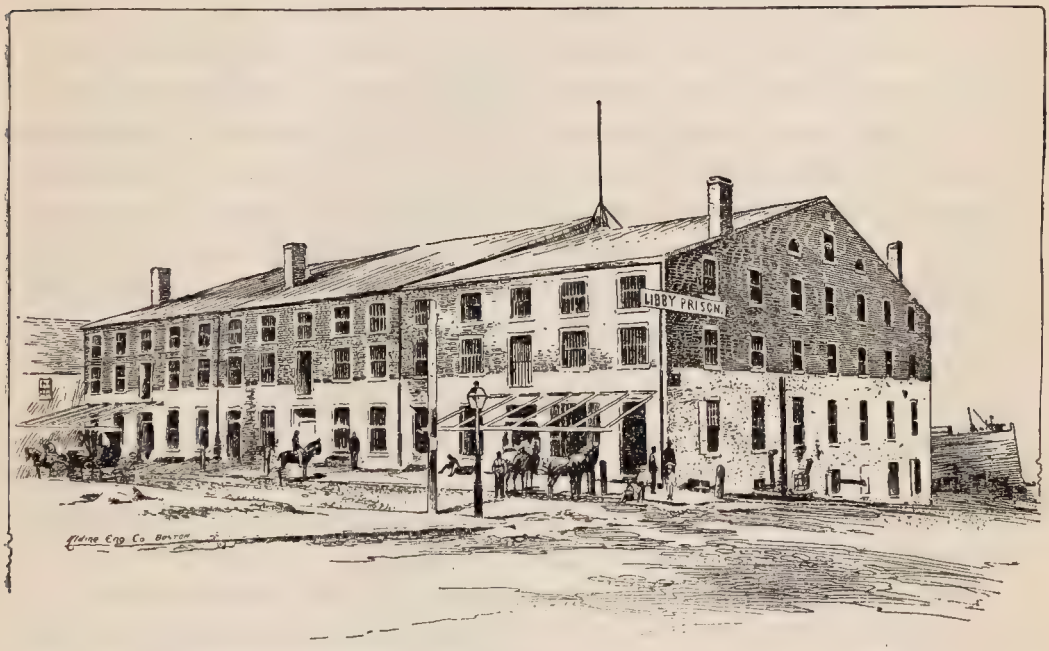
If, therefore, the principles of international law and the laws of war used in this discussion are correctly stated, then it would seem that the deduction logically flows therefrom, in natural sequence, that the Confederate States can have no claim upon the negro soldiers captured by them from the armies of the United States, because of the former ownership of them by their citizens or subjects, and only claim such as result, under the laws of war, from their captor merely.

Do the Confederate authorities claim the right to reduce to a state of slavery freemen, prisoners of war captured by them? This claim our fathers fought against under Bainbridge and Decatur, when set up by the Barbary powers on the northern shore of Africa about the year 1800, and in 1864 their children will hardly yield it upon their own soil!

This point I will not pursue further, because I understood you to repudiate the idea that you will reduce free men to slaves because of capture in war, and that you base the claim of the Confederate authorities to re-enslave our negro soldiers, when captured by you, upon the "*jus post limini*," or that principle of the law of nations which rehabilitates the former owner with his property taken by an enemy, when such property is recovered by the forces of his own country. Or, in other words, you claim that by the

laws of nations and of war, when property of the subjects of one belligerent power captured by the forces of the other belligerent, is recaptured by the armies of the former owner, then the property is to be restored to its prior possessor as if it had never been captured; and, therefore, under this principle, your authorities propose to restore to their masters the slaves which heretofore belonged to them which you may capture from us.

But this postliminary right, under which you claim to act, as understood and defined by all writers on national law, is applicable simply to *immovable property*, and that, too, only after the complete resubjugation of that portion of the country in which the property is situated, upon which




LIBBY PRISON.

this right fastens itself. By the laws and customs of war, this right has never been applied to *movable* property.

True it is, I believe, that the Romans attempted to apply it to the case of slaves; but for two thousand years no other nation has attempted to set up this right as ground for treating slaves differently from other property.

But the Romans ever refused to enslave men captured from opposing belligerents in a civil war, such as ours unhappily is.

Consistently, then, with any principle of the law of nations, treating slaves as property merely, it would seem to be impossible for the Govern-

ment of the United States to permit the negroes in their ranks to be re-enslaved when captured, or treated otherwise than as prisoners of war.

I have forborne, sir, in this discussion, to argue the question upon any other or different grounds of right than those adopted by your authorities, in claiming the negroes as property, because I understand that your fabric of opposition to the Government of the United States has the right of property in man as its corner-stone. Of course, it would not be profitable in settling a question of exchange of prisoners of war, to attempt to argue the question of abandonment of the very corner-stone of their attempted political edifice. Therefore I have omitted all the considerations which should apply to the negro soldier as a man, and dealt with him upon the Confederate theory of property only.

I unite with you most cordially, sir, in desiring a speedy settlement of all these questions, in view of the great suffering endured by our prisoners in the hands of your authorities, of which you so feelingly speak. But let me ask, in view of that suffering, why you have delayed eight months to answer a proposition which by now accepting you admit to be right, just, and humane, allowing that suffering to continue so long? One cannot help thinking, even at the risk of being deemed uncharitable, that the benevolent sympathies of the Confederate authorities have been lately stirred by the depleted condition of their armies, and a desire to get into the field, to affect the present campaign, the hale, hearty, and well-fed prisoners held by the United States, in exchange for the half-starved, sick, emaciated, and unserviceable soldiers of the United States now languishing in your prisons. The events of this war, if we did not know it before, have taught us that it is not the northern portion of the American people alone who know how to drive sharp bargains.

The wrongs, indignities, and privations suffered by our soldiers would move me to consent to anything to procure their exchange, except to barter away the honor and faith of the Government of the United States, which has been so solemnly pledged to the colored soldiers in its ranks.

Consistently with national faith and justice we cannot relinquish this position. With your authorities it is a question of property merely. It seems to address itself to you in this form. Will you suffer your soldier, captured in fighting your battles, to be in confinement for months rather than release him by giving for him that which you call a piece of property, and which we are willing to accept as a man?

You certainly appear to place less value upon your soldier than you do upon your negro. I assure you, much as we of the North are accused of loving property, our citizens would have no difficulty in yielding up any piece of property they have in exchange for one of their brothers or sons

languishing in your prisons. Certainly, there could be no doubt that they would do so were that piece of property less in value than five thousand dollars in Confederate money, which is believed to be the price of an able-bodied negro in the insurrectionary States.

Trusting that I may receive such a reply to the questions propounded in this note as will lead to a speedy resumption of the negotiations for a full exchange of all prisoners, and a delivery of them to their respective authorities,

I have the honor to be, very respectfully, your obedient servant,

BENJ. F. BUTLER,

*Major-General and Commissioner of Exchange.*

In case the Confederate authorities should take the same view as General Grant, believing that the exchange of prisoners would "defeat Sherman and imperil the safety of the Armies of the Potomac" and the James "here," and therefore should yield to the argument and formally notify me that their slaves captured in our uniform would be exchanged as other soldiers were, and that they were ready to return to us all our prisoners at Andersonville and elsewhere in exchange for theirs, I had determined, with the consent of the lieutenant-general, as a last resort, in order to prevent exchange, to demand that the outlawry against me should be formally reversed and apologized for before I would further negotiate the exchange of prisoners.

My propositions were approved by Lieutenant-General Grant.[1]

But the argument was enough and the Confederates never offered to me afterwards to exchange the colored soldiers who had been slaves, held in prison by them.

It may be remarked here that the rebels were ready enough to exchange prisoners at this time, man for man, where we would permit it to be done; because another exchange of a part of the prisoners captured from our navy, held by the Confederates, was arranged with the Secretary of the Navy, who made the agreement outside of our commission by means of our flag of truce boat at Aiken's landing. As will be seen by a telegram,[2] General Grant readily consented to this particular exchange, as it would not "defeat Sherman" or "imperil our safety here."

[1] See Appendix No. 6.

[2] See Appendix No. 7.

Against this exchange of sailors when I heard of it, as well as against the partial exchange of able-bodied soldiers going on in several military departments through their commanders, I protested as vigorously as I was able, because it tended to breed discontent in our armies and was grossly unjust,— as will be seen by the following despatch to the Secretary of War: —

HEADQUARTERS ARMY OF THE JAMES,
NEAR JUNCTION OF VARINA AND NEW MARKET ROADS,
Oct. 3, 1864, 7.45 P. M.

HON. E. M. STANTON, SECRETARY OF WAR: —

. . . . . .

*I have received a letter from Captain Smith of the navy proposing to Ould an exchange of naval prisoners "independently of our commissioner." There have been many negroes captured from the navy who are thus abandoned to their fate. Is it not possible for the government to have a policy? If Sherman exchanges at Atlanta, if Foster at Charleston, if Canby at New Orleans, and Rosecrans in Missouri, then I do not see why we should not exchange here. Our soldiers will not be too well pleased to hear that sailors can and soldiers cannot be exchanged.*

BENJ. F. BUTLER,
*Major-General Commanding.*

It will be observed that the rebels had exchanged all the naval colored prisoners, so that the negro question no longer impeded exchange of prisoners in fact, nor would have even if we had demanded the exchange of all, man for man, officer for officer. It was now settled that no general exchange of prisoners would be allowed by the commanding general to take place, and as I felt deeply the sufferings and privations of our soldiers in Andersonville and Salisbury, and other rebel prisons, I negotiated the special exchange of the sick and wounded, and for the exchange of naval prisoners, black and white, and also arranged that our government should be allowed to provide for the soldiers in the hands of the rebels. The condition of these exchanges and negotiations fully appear in the letter of instructions under which Lieutenant-Colonel Mulford sailed for Savannah carrying down the rebel sick, to bring back ours. This exchange covered about twelve hundred of our men.

In an attack on Fort Gilmer on the 29th of September about one hundred and fifty of the negro soldiers of the Army of the James were captured. On the 12th of October I was credibly informed that these prisoners of war had been set at work in the trenches under fire in front of our lines. I immediately notified Mr. Ould, the agent of exchange, of this outrage, and failing to get an answer at 12 o'clock on the 13th of October, I determined to try the virtue of retaliation for wrong, and issued an order which will explain itself: —

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
ARMY OF THE JAMES.
IN THE FIELD, Oct. 13, 1864.

General Order No. 126.

It being testified to the commanding general by a number of refugees and deserters from the enemy, that from one hundred to one hundred and fifty soldiers of the United States, captured in arms by the Confederates on the lines near Chapin's Bluff, have been taken from Libby Prison and otherwheres, and placed to labor on the intrenchments of the enemy's lines in front of their troops, the commanding general on the 13th day of October notified the Confederate agent of exchange, Robert Ould, of the outrage being perpetrated upon his soldiers, and informed him that unless the practice was stopped, retaliation in kind would be adopted by the Government of the United States.

Being assured by General Ewell, commanding Confederate forces on the north side of the James, that an answer to this communication, if any, would be sent by 11 o'clock A. M., to-day and it being now past 12 (noon) and no answer having been received,

*It is ordered:* That an equal number of prisoners of war, preferably members of the Virginia reserves, by and under whose charge this outrage is being carried on, be set to work in the excavation at Dutch Gap, and elsewhere along the trenches, as may hereafter seem best, in retaliation for this unjust treatment of the soldiers of the United States so kept at labor and service by the Confederate authorities.

It being also testified to by the same witnesses, that the rations served to the soldiers of the United States so at labor is one pound of flour and one third of a pound of bacon daily, it is ordered that the same ration precisely be served to these Confederate prisoners so kept at work, daily, and no other or different.

It being further testified to, that the time of labor of the soldiers of the United States so at work under the Confederates is ten hours each day,

these Confederate prisoners so kept at work will be made to work, and work faithfully, daily during the same period of time.

This order will be read to the prisoners set to work, the first time they are mustered for labor, in order that they may know why it is that they do not receive that kind and courteous treatment they have heretofore from the United States, as prisoners of war.

Upon any attempt to escape by any of these prisoners so kept at work, they will be instantly shot.

By command of

MAJOR-GENERAL BUTLER.

[*Official.*]

ED. W. SMITH, *Assistant Adjutant-General.*

The succeeding day the order was exactly executed. The experiment was a success. October 20 General Lee officially notified General Grant that the negro prisoners had been withdrawn from the trenches and would be treated as prisoners of war, and thereupon an order[1] was issued and they were released.

This experiment was a success in another point of view, showing how readily the rebels under pressure can be converted to loyalty, as nearly, if not quite, all of them, being citizens of Richmond, offered to take the oath of allegiance if they could be released.

Colonel Mulford was much delayed in carrying out his instructions because of the interference with his steamers devoted to this purpose. They were taken for the transportation of troops, to make up the complement by orders from some of the bureaus at Washington, the remainder of his transports being filled with prisoners who were not sick. While I was in command at New York he wrote me that his vessel had been taken away from him by some sub-official in Washington, to transport troops.[2]

Having before that procured the assent of the Secretary of War to the lease of the steamers Atlantic and Baltic for this humane enterprise, I answered in the most imperative manner that he should not yield to subordinate interference at Washington, — a thing of which I had seen something too much, — and that he should hold his transportation at all hazards.[3]

In compliance with the order Colonel Mulford got off, and arrived in Savannah River about the 15th of November and reported his

[1] See Appendix No. 8. [2] See Appendix No. 9. [3] See Appendix No. 10.

success in arranging for the delivery of all the sick and wounded.[1] He was also enabled to effect an arrangement for feeding and clothing our prisoners, whom he found in a most filthy and destitute condition.

The further exchange had to be transferred to Charleston because of the operations of General Sherman, but Colonel Mulford succeeded in getting about twelve thousand men. In pursuance of the negotiations concluded by Colonel Mulford, an order[2] was issued,



CONVALESCENT COLORED UNION SOLDIERS AT AIKEN'S LANDING.

and with this order all action on my part as commissioner of exchange practically ceased.

I have felt it my duty to give with this particular carefulness an account of my participation in the business of exchange of prisoners, the orders under which I acted, and the negotiations attempted, which comprise a faithful narration, in order that all that was done may become a matter of history. The great importance of the questions; the fearful responsibility for the many thousands of lives which, by the refusal to exchange, were lost by the most cruel forms of deaths

[1] See Appendix No. 11.

[2] See Appendix No. 12.

from cold, starvation, and pestilence in the prison pens of Raleigh, Salisbury, and Andersonville, — many more in number than all the *British* soldiers ever had by Great Britain on any field of battle with Napoleon ;[1] the anxiety of fathers, brothers, sisters, mothers, wives, to know the exigency which caused this terrible, and perhaps as it may have seemed to them useless and unnecessary, destruction of those dear to them by horrible deaths, — each and all have compelled me to this exposition, so that it might be seen that these lives were spent as a part of the system of attack upon the Rebellion, devised by the wisdom of the general-in-chief of the armies to destroy it by depletion, depending upon our superior number to win the victory at last. The loyal mourners will doubtless derive solace from this fact and appreciate all the more highly the genius which conceived the plan and the success won at so great a cost.

Before closing this exposition of the exchange of prisoners, I deem it my duty to call attention to two or three correlative matters of complaint which have been very much magnified on the part of the Confederates and the people of the North.

While I do not mean to apologize for or palliate the manner in which our prisoners were treated, which was inexcusable, I feel bound to say that from careful examinations of the subject I do not believe that either the people or the higher authorities of the Confederacy were in so great degree responsible as they have been accused. In the matter of starvation the fact is incontestable that a soldier of our army would have quite easily starved on the rations which in the latter days of the war were served out to the Confederate soldiers before Petersburg. I examined the haversacks of many Confederate soldiers captured on picket during the summer of 1864 and found therein, as their rations for three days, scarcely more than a pint of kernels of corn, none of which were broken but only parched to blackness by the fire, and a piece of meat, most frequently raw bacon, some three inches long by an inch and a half wide and less than a half an inch thick. Now, no Northern soldier could have lived three days upon that, and the lank, emaciated condition of the prisoner fully testified to the meagreness of his means of sustenance. I have been informed by a major-general commanding one of the larger corps of

[1] The effective strength of the British troops (English, Irish, and Scotch) in the allied army at the commencement of the battle of Waterloo was 25,389. (See Maxwell's "Life of Wellington," Vol. III., Appendix, page 564. Appendix No. 13, page 593.)

Lee's army[1] that in the winter of 1864–5 himself and General Lee examined a return of rations issued to the corps under Lee's command, and found that the amount of meat divided by the number of men present would make the allowance a little more than one sixth of an ounce per soldier per day, and this was a regulation issue. But his corps was not in that condition because he used his wagons to supply a little more when it could be found in the almost devastated country in his rear.[2]

With regard to clothing, it was simply impossible for the Confederates at that time and for many months preceding to have any sufficient clothing upon the bodies of their soldiers, and many passed the winters barefoot. Necessity, therefore, would seem to have compelled the condition of food and clothing given by them to the Federal prisoners, for it was not possible for the authorities to supply it without taking the clothing from their soldiers in the field.

There are two other complaints as to the condition of the prisoners. One was that sufficient water was not supplied at Andersonville. That I do not charge to the authorities, but to the brutality of the officers of subordinate rank and of brutal disposition, who were put in charge of them. I cannot believe the higher officers of the Confederacy were aware of the facts. Because all the higher officers of the Confederate army and of the government were so exceedingly pressed with rapidly recurring duties and transpiring events, they neglected to make proper inspections, and undoubtedly the strong hatred felt on the part of those who had no high motive to control them may account for such neglect.

I find more difficulty, however, in regard to the other complaint, the failure to supply fuel for fire during that winter for our prisoners. The winters of North Carolina and a part of Georgia are sufficiently severe. Indeed, the only time any of my troops had their feet frozen was when a regiment of them bivouacked in North Carolina after a hard march, and a sudden cold wave was so severe that their feet were considerably frozen before morning Their camp hardly seemed to me to be an excuse for that want of wood, except for the negligence or incompetency of the under officers having the prisoners in charge, which quite possibly may never have come to the knowledge of their

[1] General J. B. Gordon.

[2] See Appendix No. 13.

superiors. Andersonville, for example, was in a wooded country with wood in plenty close at hand, which could be procured with a little energy and thoughtfulness, and no expense.

Indeed, the prisoners could, without escaping or attempting to escape, have procured the wood for themselves, except for the grossest inefficiency and want of sense of those having them in charge in refusing to permit them to so do.

I have no personal knowledge of the condition of the rebel prisoners of war except at Point Lookout, where I had from twelve to fifteen thousand under my immediate charge from December, 1863, when I first inspected them, to April, 1864, when I last inspected them, except through the medium of gentlemen of my staff.

In December, 1863, I made two personal inspections at Point Lookout of the condition of the rebel prisoners of war. I went into their camp, which covered some acres, and was well laid out. There were tents to accommodate all of them, placed upon a perfectly proper camping ground laid out in streets. At the corners many of the prisoners assembled around me, and I asked them to state to me any complaints they had to make as to the clothing, food, or anything else. They all said they had no complaint to make except that, as the weather was cold, they wanted more firewood than our army regulations allowed.

I then subjected several of them to personal inspection with their leave, examining even the condition of their gums, — because in looking over the ration I had come to the conclusion that it was possible that not sufficient fresh vegetables had been given them, and that I might find, as I did, slight indications of the scurvy by the condition of their gums, their complaints of stiffness of their joints, and from the fact of their growing too fat from being without exercise.

I then said to them: "Upon your pledge that you will take no improper advantage of the concession, I will permit you to furnish yourselves with as much firewood as you choose to burn, the fire to be raked out after taps. I will direct that a number not exceeding one hundred of you, whom your officers will detail, — for I suppose you have some organization, — may go out and cut from a neighboring forest which belongs to a secession friend of yours, as much wood as

you like, and four mule teams with a wagon to haul it in will be furnished. And this may be done every pleasant day. But this must be upon your solemn pledge that none of you will attempt to escape when allowed beyond the camp fence for this purpose. If any man forgets the pledge it will result unfavorably to you, because I shall direct that no more shall be allowed to go out, and you will be left with only the regulation amount of wood for your use."

This they all agreed to with great alacrity, and they treated me with the utmost respect and grateful kindness. General Marston was in command of their camp, but I had not taken him with me because I wanted them to feel at full liberty to make any complaints without his knowing who it was that complained.

On returning to the office I detailed my visit to General Marston, expressed my thanks to him for the fine condition of his command, and suggested to him that I thought he ought to make fresh vegetables a part of his rations; that it did not appear that any increase in the amount of food was necessary but rather a decrease. He replied that he had no authority to issue such rations. I answered that he might do so and I would see that the proper measures were taken to have his account allowed. I then said to him: "I have some knowledge derived from my experience concerning sailors, especially whalemen, of the necessity for some preventive for the scurvy, and therefore you had better send North for a schooner load of onions for their rations, and they had better be served raw, cider vinegar to be given with them, and I know of no better anti-scorbutic than these, save, perhaps, lemon-juice, which would be too expensive." I also informed him that he might draw upon my "provost fund" for the expenses.

No better hearted man lived than Marston, and he joyfully undertook to carry out the orders. From that hour I never had a complaint of the treatment of the prisoners at Point Lookout, although many hundreds passed through Fortress Monroe on their way to be exchanged, and I sometimes saw them on the flag of truce boat.

I heard of but two disturbances in the camp. One was when unfortunately one man did not return with the chopping party. There was great excitement and some inspection of the guards, until

the reason of the absence was ascertained. The poor fellow had lost his way. He came into camp a couple of hours later, and was joyfully hailed by his comrades. The other was when it became necessary to change the regiment guarding them for one of colored troops. A number of ill-advised men made public declarations that they would not be guarded by negroes, and one night when they should have retired at taps a noisy demonstration was made. That was officially stopped in the most effective manner.

I had twenty-five hundred Confederate officers, more or less. They occupied the buildings erected for hospitals, as we had very few sick prisoners, and very large provisions had been made for hospital purposes. I never received any complaint from them. Many of them, I trust, are alive and well. With them there was never any disturbance but this once. The colored sergeant in charge directed an officer to retire to his quarters after taps, according to the regulations, and that respectful order was greeted with "Get out, you d—d nigger; why do you speak to a gentleman?" and the officer jumped upon the sergeant, who at once used his revolver very effectively. That being reported to me, I ordered an investigation by a commission composed of five officers, two of whom were prisoners, and upon their unanimous report I sustained the sergeant and ordered any other to shoot under like circumstances.

I can give no further personal testimony as to the treatment of the prisoners of war held by us.

Very much complaint and very strong animadversion has been made, and to the unthinking with apparent reason, against our medical officers that they treated the sick and wounded prisoners of war less carefully than they treated our own wounded and sick men, and the official returns of the number of men who died from operations because of the same class of wounds and of sickness from the same diseases, show that the mortality of the rebel prisoners exceeded, in very considerable number, that of our own troops having the same class of afflictions. They were all treated in the same hospitals, when possible, which gives a seeming ground for this complaint.

Indeed, Mr. Davis makes it quite savagely. It ought to be supported by very substantial and conclusive evidence, before being believed by any just, right-minded man, for it is the gravest possible

charge that our medical officers, a body of men who had no superiors in any country, deliberately neglected the sick and wounded men in their official charge, so as to leave them to die. And there should be every desire to examine closely and see if there cannot be full and just reason for this admitted difference in the number of deaths.

I think the explanation is to be found in the difference of the physical condition of the patients. I appeal to the right-minded and just men who were the medical officers of the Confederacy, and also to the commanders of their troops, to agree to the fact that the very great deprivation of proper and substantial food supplied to the Confederates in the field brought their men to such a condition of constitutional health that they could not bear up under the sufferings and loss of blood resulting from wounds and operations, rendering them more susceptible to attacks of gangrene which were incurable. And the same want of proper food left them to become so weak in bodily strength and of so low vitality as to render them more susceptible to attacks of the diseases for which they were treated and with less recuperative power, so that much larger percentages of death resulted than would have been the case if they had been in full fed health and strength as were our prisoners when captured.

Would not a scratch from a minie ball upon the body of a Confederate, which would hardly be noticed on one of our soldiers, very frequently be followed by death? I feel very certain that this condition of the Confederates is the whole cause of the difference in the results of wounds and diseases of prisoners captured from their armies. Indeed, I believe I can say from my actual knowledge on the subject that the Confederate soldiers in the field could and did live on less good and solid food than our army wasted.

I do not desire, on my part, to accuse of deliberate cruelty and wrong any considerable portion of my countrymen who were my enemies, or to have my countrymen who served with me so accused by others. As a general fact, I do not believe it existed on either side.

Mr. Davis makes one assertion of fact which is very possibly true. It is based upon the statistical report of General Barnes, Surgeon-General of the United States Army, which I always believed to be erroneous, and which is now held so to be. In this report Barnes places the whole number of prisoners on the Union side at 270,000, and I believe that he is approximately correct, and that of the rebel

prisoners at 260,000, instead of 220,000, as Davis puts it on the strength of General Barnes' estimate. Then Mr. Davis says that 26,000 of the rebel prisoners died in our hands, and only 20,000 of ours died in the hands of the Confederates, making an aggregate death of twelve per cent. more of rebel prisoners than Union prisoners.

I have an authority for the statement of the number of Confederate prisoners held by us which would relieve substantially the imputation, but it is hardly necessary to go into such examination to do so. Can anybody doubt upon the statement of Davis even, considering the condition of his men in the field, especially of those wounded, that there would not be twelve per cent. more of them die than there would be of our prisoners? He places his imputation only upon the fact of death in general and not death of wounded.[1]

[1] Owing to the very great difficulty in getting at the exact number of our prisoners and the exact number of the Confederate prisoners, and especially the number of our men who died within the rebel prisons, as no reliable data or regular official reports of those facts have yet been discovered, — if they were ever made, — the "Board of Publication," acting under the direction of the Secretary of War, engaged in publishing all the data of the operations of war that can be obtained, have not yet been able to publish the official reports of the facts in this regard which I have just been discussing. At the time of my writing I have been unable to pursue the subject with the minuteness and exactness that I would desire. I have asked for such data, and if they can be got, I know through the kindness of the Board they will be furnished me as soon as collected; and if they are received before my work is finished they will be inserted in the Appendix.



## CHAPTER XIV.

## IN COMMAND OF THE ARMY OF THE JAMES.

ON the second day of November, 1863, without solicitation, I was detailed to the command of the Department of Virginia and North Carolina, with headquarters at Fortress Monroe. The Union forces were then in occupation of the peninsula between the York and James Rivers, up to the line of Williamsburg, the cities of Norfolk and Portsmouth, and a line extending towards Suffolk, about seven miles from Norfolk, on the line of the Dismal Swamp Canal in Virginia, and by the aid of the gunboats, the Currituck, Albemarle, and Pamlico Sounds, Roanoke Island, Hatteras Bank, Morehead City, Beaufort, the line of railroad from New Berne, and the cities of New Berne, Plymouth, and Washington, and as much land as was fairly within the pickets of the garrison of those cities in North Carolina.

Upon inspection of these several posts it appeared to me that holding Washington and Plymouth was useless, because, while Washington was distant from New Berne only about twenty miles, and Plymouth perhaps a less distance from Washington by land, the enemy held the intervening territory, and the only communication between these places was by water by travelling a distance of from 120 to 170 miles. This opinion was reported to the War Department, but no action was taken, and I did not feel at liberty to order the evacuation of either place.

November 16, an expedition under Colonel Quinn, with 450 men of the One Hundred and Forty-Eighth New York Volunteers, captured a rebel marine brigade organized to prey upon the commerce of Chesapeake Bay, and a dangerous nest of pirates was broken up.

November 27, Colonel Draper, with the Sixth U. S. Colored Troops,

made a successful raid into the counties lying on the sounds in Virginia and North Carolina, capturing and dispersing organized guerillas.

December 4, Brigadier-General Wilde, at the head of two regiments of colored troops, overran all the counties as far as Chowan River, releasing some two thousand slaves and inflicting much damage upon the enemy.

December 13, Brigadier-General Wistar sent a force from Williamsburg to Charles City Court-House and captured two companies of rebel cavalry, being the outposts of Richmond. The force was gallantly led by Col. Robert West.

The army being much in need of recruits, and Eastern Virginia claiming to be a fully organized loyal State, by permission of the President an enrolment of all the able-bodied loyal citizens of Virginia within my command was ordered for the purposes of a draft, when one should be called for in the other loyal States. This order was vigorously protested against by Governor Pierpont, and this was all the assistance the United States ever received from the loyal government of Virginia in defending the State. My predecessors in command had endeavored to recruit a regiment of loyal Virginians, but after many months of energetic trial, both by them and by myself, the attempt was abandoned. A company and a half was all the recruits that State would furnish to the Union, and these were employed in defending the lighthouses and protecting the loyal inhabitants from the outrages of their immediate neighbors.

January 25, 1864, the roads being impassable, Brigadier-General Graham, with some armed transports, went up the James River to Lower Brandon and destroyed a large quantity of provisions and forage stored there, and captured some smuggling vessels.

Major-General Pickett, of the Confederate forces, made an attack upon New Berne and our lines at Beaufort, N. C., on the 1st of February, but was cleverly repulsed with loss, Brigadier-General Palmer commanding the district.

By a surprise of an outpost, fifty-three of the Second North Carolina (loyal) Regiment were captured by General Pickett. By his order they were tried by court martial and twenty-two of them were hanged. Their supposed offence was that they, being enrolled in the Confederate army, had enlisted in the Union army. Upon

remonstrance by General Peck, commanding in North Carolina, Pickett replied, that being deserters they were executed by his orders, and if retaliation was attempted he would execute ten United States soldiers for every one upon whom we retaliated, unless, indeed, the Confederates were deserters from our army, in which case hanging them would be proper. As Pickett himself deserted our army to take up arms in the Rebellion, the exception was quite suggestive of the duty of our government towards such men as he.

The correspondence in relation to this affair is illustrative of the mode of warfare which we endured.[1]

I referred the whole correspondence to General Grant with recommendation that stringent measures be taken for the protection of loyal Southern men in our armies, but nothing was done.

I have been often asked why our war was so protracted. Was not the pusillanimity and want of executive force of the government as exhibited in this transaction, one sufficient answer? Why was not Pickett hanged for these twenty-two deliberate murders when he was captured by us?

It is needless to say that recruiting for our forces in North Carolina ceased.

Information was received from my correspondents at Richmond that while the troops usually around Richmond were away operating in North Carolina, the enemy, relying upon the almost impassable condition of the roads, had left but a small guard at Bottom's Bridge, over the Chickahominy, eleven miles from Richmond. Believing that a rapid march and a surprise would carry the intrenchments around the city if the bridge could be seized, Brigadier-General Wistar, whose suggestion it was, was permitted to make the attempt with about three thousand men from Williamsburg.[2] His march was a brilliant one, his dispositions admirable, but success was snatched from him, because of the escape, from his guard at Williamsburg, the night before the expedition started, of a *prisoner who had been ordered to be executed for the wilful murder of an officer, and who had been reprieved by the President.* The man fled to the enemy and gave information, so that when our men reached Bottom's Bridge, we found it held by a strong force.[3]

A few words are needed to explain fully the objects of this expe-

[1] See Appendix No. 14. [2] See Appendix No. 15. [3] See Appendix No. 16.

dition, which did not succeed because it failed to be a surprise. Had it not been for the escape of the condemned murderer who gave information that the expedition was in progress, and had it not been for the unwise clemency of the President, of which I have spoken before, in interfering with his execution, the surprise would doubtless have been complete.

I tried to get that murderer sent to me in exchange for any Confederate the rebels desired me to give, but they, knowing his service to them, always took care of him, and smuggled him to New York to vote the Democratic ticket for them. As the man's pardon was in the direct line of my argument with Mr. Lincoln upon the uselessness of his pardons, I addressed confidentially a note to him explaining all that he had lost by his clemency to this wretch.



GEN. GODFREY WEITZEL.

Upon looking into the reports of Brig.-Gen. Eppa Hunton, who commanded the Confederate forces in Richmond, I find that he was thoroughly puzzled to learn what we were up there for, and why if we intended to assault the city we did not do it with more vigor than by a mere reconnoissance of cavalry. We had learned that there was but half a company of artillerymen at Bottom's Bridge, and that there were no forces between Bottom's Bridge and Capitol Square in Richmond, for in less than a week previous trusty men had traversed that road.

It will be observed that General Wistar speaks of ulterior and "specific" objects. He was well instructed in them. The first and most important was to release the large number of prisoners there, who would have made a very great addition to our force; and the second was to capture the Confederate Cabinet and Mr. Jefferson Davis.

We had for one of our guides when the city was reached, his gardener, who had deserted to us, and if we could have laid our hands upon Davis in the early morning he would certainly have taken a ride to Fortress Monroe to greet an old friend of his who would have taken special care to keep him there, certainly as long as the telegraph wires would not work between there and Washington so that the President's pardon could not reach him. If the city could have been reached, and the Union prisoners there added to our force, Wistar was instructed to hold on if possible, and I was ready to march with all my available command into Richmond, and once there I doubt if anybody would have desired to have the rebel capital there any longer.

In view of the possibility of my march upon Richmond with my whole force, in case it was found as unprepared for attack as it had been reported, I desired that Lee might be detained from sending any part of his army to Richmond, and asked that the Army of the Potomac lying in front of Lee might make a movement upon him as a feint. General Meade being sick, General Sedgwick, who was in command, was ordered to co-operate with me. But after considerable correspondence he telegraphed that he could not get ready in time.

On the 4th of March I received notice that General Kilpatrick had started, with a cavalry force, on a raid to Richmond from the Army of the Potomac, and was directed to make dispositions to aid him, or cover with infantry his march to Fortress Monroe. Accordingly I marched a column to New Kent Court-House, and there met General Kilpatrick on his return.

On the 9th of March the Confederates made a demonstration upon our lines at Suffolk. Not knowing the force of the enemy, and Kilpatrick's men being recruiting from their march at Yorktown, I asked his aid to meet this advance, which was promptly and kindly given, and the movement of the enemy handsomely met and repulsed.

When I had reported for duty to Mr. Stanton in obedience to his order to take command, he informed me of the probable importance of my department in the campaign of the coming spring and summer, in which would be a movement upon Richmond. Whereupon in all my spare moments I examined particularly the topography of Virginia and North Carolina and that, too, in connection with the cam-

paigns of McClellan around Richmond and his final retreat to Harrison's Landing.

I was a good deal impressed with the peculiar topographical formation of the country below Richmond on the south side of the James down as far as its junction with the Appomattox. In their windings the rivers approach each other within two miles and a half, at a point on the James about eight miles in direct line from Richmond, and on the Appomattox about the same distance from Petersburg. A glance at the map will show these two places, the "Point of Rocks" near Port Walthall five miles up the Appomattox, and "Osborn" nineteen miles down the James River from Richmond. The banks of both rivers are, at these points, bluffs some 120 feet high. A line drawn across from point to point includes within the rivers a peninsula of more than thirty square miles. The neck of this peninsula by this line across it is cut by deep, wide, and quite impassable ravines for about a quarter of the distance up from the James and nearly half way up from the Appomattox, leaving considerably less than a mile of hard, dry land between the heads of the two ravines, to be fortified and intrenched. The water of both rivers around the whole peninsula and opposite the ravines was deep enough to float our largest draught monitors.

I took special pains to have this position thoroughly examined and reported upon by a very competent man who made a good map of it. It was evident that if this neck of land could be seized, as it might well be with the aid of the navy, and a properly intrenched line from river to river put across at that point, there would be more than thirty square miles of land, large enough for a base of supplies and encampment of an army of any probable size, easily defensible by five thousand men against any possible attack on the land side, the navy holding the waters. With a battery which would protect a naval depot at City Point, a bluff at the junction of the two rivers, water transportation could be covered, within eight miles of Richmond, and less from Petersburg, and an intrenched camp could be made of Bermuda Hundred more impregnable than Fortress Monroe. I thought this should be the basis of operations by the Army of the Potomac against Richmond. Troops could be brought from Washington and the North by water transportation in three days to the amount of a hundred thousand men without the loss of



Banquet at Fifth Avenue Hotel, New York, November 15, 1864. To

Rev. Henry Ward Beecher



ERAL BUTLER FOR PRESERVING THE PEACE AT THE NEW YORK ELECTIONS
INATING HIM FOR PRESIDENT.

a single man by straggling, desertion, or sickness. The location was a healthy one. Supplies could always come up the river from the North by water, and the enormous cost of supplying the army through the sixty odd miles of march by land from Washington to Richmond would be saved.

On the 1st day of April, General Grant came down to Fortress Monroe to consult with me as to the campaign against the rebel capital. It was the first time I ever met him. I showed him my maps of the department and also of the lay of the land around Richmond. I showed him also that Richmond was by no means as strongly fortified on the south side as it had been on the north, and that the country surrounding it on the south side was high, healthy land suitable for campaigning. But whether it was determined to make the attack on the north side of the James or on the south, Bermuda and City Point should be used as a base of operations. City Point on the opposite side of the peninsula, which was known as Bermuda Hundred, needed to be fortified and held as a depot for the navy and for the water transportation of the army. At Wilson's Wharf, afterwards Fort Pocahontas, on the north side of the James River, and at Fort Powhatan, shortly above, on the south side, were the only two points where batteries could be erected by the rebels to hinder the passage of transports on the river. These points were to be seized and strongly fortified so as to be surely held. This was afterwards done.

Grant was very much struck with my views thus given and the information thus imparted. After a full consideration, he said he thought such a plan should be adopted, and he approved of it. "But," said he, "bringing my troops to the James by water will uncover Washington, and Lee may attack there."

To that I answered: "Lee cannot march troops enough to attack Washington in eight days after he gets in motion. Keeping our transportation here ready, we can send sufficient men to Washington in three days to meet him, without losing a man, because it is all inland navigation." [1]

It also happened that I was proven right, for in the summer

[1] In the re-transfer of McClellan's army in 1862, Halleck reports that "On the *first* of August I ordered General Burnside to immediately embark his troops at Newport News [on the James River], transfer them to Acquia Creek [near Washington], and take position opposite Fredericksburg. This officer moved with great promptness, and reached Acquia Creek on the night of the *third*."

Lee did send Early to make an attack on Washington with his corps, it being known that quite all the veteran troops had been drawn to the Army of the Potomac, and substantially all others. Early began his attack upon Washington, and Wright with his Sixth Corps was sent from City Point by water, and I sent a portion of the Nineteenth Corps, and although the transportation was by no means conducted with all the celerity possible, yet our troops got to Washington in time to repulse Early's attack.

Grant seemed very doubtful whether the march could be made as quickly as I claimed. He appeared to have no idea of the capabilities of transportation by vessels in smooth water. I endeavored to convince him that the transportation could be thus speedily effected, but he called my attention to the fact that it took McClellan three months to move less than thirty thousand troops from Washington to Fortress Monroe, and the whole country was ransacked for boats, and all knew of the expedition during that time.

He said he was quite sure that the government at Washington would not permit him thus to uncover it. He said he thought the campaign could be best conducted in this way: The Army of the Potomac should attack Lee's army and drive it back to Richmond. An army under my command, if, as I said, it could be done, should be put around Richmond on the south side of the James, marching by the left flank. The two armies should join above Richmond and thus scoop it out of the Confederacy, cutting off all the sources of supply for Lee's army unless he could break through our lines when we were acting together on the defensive.

Grant asked me if I supposed it possible to surprise City Point and this peninsula of Bermuda Hundred and so hold it as to get around Richmond with my troops with my left resting on the James, ready to join with him in ten days after the Army of the Potomac crossed the Rapidan.

I told him there was not the slightest trouble about that. I would undertake to transport thirty thousand men up to Bermuda Hundred and City Point with all their ammunition and supplies in twenty-four hours after I was notified of the march of his army across the Rapidan. By besieging West Point, at the head of York River, and beginning to fortify it, erecting store-houses, as if I was making a base of supplies for my army when it landed to meet the army of the enemy,

I could so far hoodwink Lee and his officers that they would believe I was there fifty miles away from Richmond for the purpose of joining Grant's army. I could gather the water craft to transport my army from Yorktown, Gloucester, and Fortress Monroe in twenty-four hours, so as to be up the James River at City Point and Bermuda before the enemy knew that I was moving in that direction. I explained to him in great detail every step that I proposed to take to do this, and thus showed him every one by which I afterwards did that very thing.

He at first said it was impossible, but I so far convinced him that he agreed that the enterprise should be undertaken, and that he himself would move upon the quartermaster-general to allow me to procure my own transportation so that I might make the expedition secretly. He pressed upon me over and over again that my objective point must be Richmond, and that I must be there on the south side within ten days after his march began, as he would be there on the north side of the James to join me.

General Grant further informed me that General Banks was moving up Red River, and had been ordered to get through within a limited time, so that if I needed additional force, a part of his army would be ordered to reinforce me instead of moving against Mobile.

He said that it was particularly desirable that I should have the Weldon Railroad cut at Hicksford, as that would prevent reinforcements coming from the South and supplies from reaching Richmond, so that we should be able the more easily to starve Lee out.

He remained some three days examining into the details of the proposed campaign, studying with care the topography of the country around Richmond, with which he seemed to have no acquaintance, and discussing matters of the exchange of prisoners.

One thing he impressed upon me: that I must be sure to hold City Point in any event, and make Bermuda impregnable; so that if he failed in turning the left flank of General Lee and driving him back into Richmond, he could march with his own army by the left flank across the James and join me at City Point.

I insert his orders. Let them tell the story of that planned campaign, which was carried out in every point by the Army of the James, and in no single particular by the Army of the Potomac, save that they came down to take advantage of the refuge we had prepared for them.

[*Confidential.*]

FORTRESS MONROE, VA., April 2, 1864.

*General:* — In the spring campaign, which it is desirable shall commence at as early a day as practicable, it is proposed to have co-operative action of all the armies in the field, as far as this object can be accomplished. It will not be possible to unite our armies into two or three large ones, to act as so many units, owing to the absolute necessity of holding on to the territory already taken from the enemy. But, generally speaking, concentration can be practically effected by armies moving to the interior of the enemy's country from the territory they have to guard. By such movement they interpose themselves between the enemy and the country to be guarded, thereby reducing the numbers necessary to guard important points, or at least occupy the attention of a part of the enemy's force, if no greater object is gained. Lee's army and Richmond being the greater objects towards which our attention must be directed in the next campaign, it is desirable to unite all the force we can against them. The necessity of covering Washington with the Army of the Potomac, and of covering your department with your army, makes it impossible to unite these forces at the beginning of any move. I propose, therefore, what comes nearest this of anything that seems practicable. The Army of the Potomac will act from its present base, Lee's army being the objective point. You will collect all the forces from your command that can be spared from garrison duty,— I should say not less than twenty thousand men — to operate on the south side of James River, Richmond being your objective point. To the force you already have will be added about ten thousand men from South Carolina, under Major-General Gillmore, who will command them in person. Maj.-Gen. W. F. Smith is ordered to report to you, to command the troops sent into the field from your own department.

General Gillmore will be ordered to report to you at Fortress Monroe, with all the troops on transports, by the 18th instant, or as soon thereafter as practicable. Should you not receive notice by that time to move, you will make such disposition of them and your other forces as you may deem best calculated to deceive the enemy as to the real move to be made.

When you are notified to move, take City Point with as much force as possible. Fortify, or, rather, intrench at once, and concentrate all your troops for the field there as rapidly as you can. From City Point directions cannot be given at this time for your further movements.

The fact that has already been stated — that is, that Richmond is to be your objective point, and that there is to be co-operation between your

force and the Army of the Potomac — must be your guide. This indicates the necessity of your holding close to the south bank of the James River as you advance. Then, should the enemy be forced into his intrenchments in Richmond, the Army of the Potomac would follow, and by means of transports the two armies would become a unit.

All the minor details of your advance are left entirely to your direction. If, however, you think it practicable to use your cavalry south of you so as to cut the railroad about Hicksford about the time of the general advance, it would be of immense advantage. You will please forward for my information, at the earliest practicable day, all orders, details, and instructions you may give for the execution of this order.

U. S. Grant,
*Lieutenant-General.*

To Maj.-Gen. B. F. Butler.

It was specially enjoined upon me to regulate my movements by those of the Army of the Potomac, so as to co-operate with it, and that both should move at the same moment, "rain or shine."

Early in the spring of 1864 the political campaign for the presidency was in progress. Indeed, the hopes of the most far-seeing rebel statesmen, and of General Lee especially, and the conduct of the military campaign by the enemy, were to a great extent regulated by the endeavor to hold on with such success in the war as to tire out the people of the North. This was done with the expectation that the Democrats and the Peace Party, as it was called, would be able to elect a President, who it was foreshadowed would be McClellan. This idea expressed itself in the Chicago Democratic Convention by the resolution that the war was a failure. Indeed, I have always believed that Lee's only hopes were to prolong the war with such success as might be gained until the presidential election should take place. I have blamed him because, when Lincoln was elected, which determined the fate of the Confederacy, the decision was not gracefully acceded to. It doubtless would have been except for the obstinacy of President Davis, who insisted upon the revocation of the proclamation of emancipation as one of the terms of peace.

Secretary Chase was making a very strenuous endeavor to be the candidate of the Republican party, using, as he well might, all the great power of his office as Secretary of the Treasury for that purpose.

In the early spring I was visited by one of his most confidential

officials, who held his place directly from the Secretary and without the intervention of the President or Senate, and who at the time controlled the means of enabling men to make fortunes greater in number and larger in amount than any other treasury official has ever held to my knowledge. This control was in connection with the administration of the captured and abandoned property act, and also with the admitting of cotton into our lines. This power alone could furnish plenty of funds for a political campaign. His official duties brought him in not unfrequent contact with myself.

In the early spring he called upon me at Fortress Monroe, ostensibly upon some official business. After that was finished the actual object of his visit was disclosed.

"There has been some criticism, General," said he, "based upon the assertion that Mr. Chase is using the powers of his office to aid his presidential aspirations. What do you think of Mr. Chase's action, assuming that he does so?"

"I see no objection," I answered, "to his using his office to advance his presidential aspirations by every honorable means, providing President Lincoln will let him do it. It is none of my business, but I have for some time thought that Lincoln was more patient than I should have been, but if he doesn't object, nobody else has either the right or the power so to do."

"Then, General, you approve of Mr. Chase's course in this regard?"

"Yes; he has a right to use in a proper manner every means he has to further a laudable ambition."

"As Chase is a Western man," he continued, "had not the Vice-President better come from the East? Who, General, do you think would make a good candidate with Mr. Chase?"

"There are plenty of good men," I answered, "but as Chase is a very pronounced anti-slavery man and Free-Soiler, Gen. John A. Dix, of New York, would bring to his banner and at the polls the War Democrats, of whom Dix claims to be a fair representative."

"You are a War Democrat, General," said he; "would you take that position with Chase, yourself?"

"Are you authorized by Mr. Chase to put this question to me and report my answer to him for his consideration?"

"You may rest assured," was the reply; "I am fully empowered

by Mr. Chase to put the question, and he hopes the answer will be favorable."

"Say, then," I answered, "that I have no desire to be Vice-President. I am forty-five years old; I am in command of a fine army; the closing campaign of the war is about beginning, and I hope to be able to do some further service for the country, and I should not, at my time of life, wish to be Vice-President, even if I had no other position. Assure him that my determination in this matter has no connection with himself personally. I will not be a candidate for any elective office whatever until the war is over."



SIMON CAMERON.

"I will report your determination to Mr. Chase," said he, "and I can assure you, for I know his feelings, that he will hear it with regret."

We shook hands and parted.

Within three weeks afterwards, the Hon. Simon Cameron, who stood very high in Mr. Lincoln's confidence, came to me at Fortress Monroe. This was after a high position in the coming military campaign had been allotted me by General Grant, in the results of which I had the highest hope, and for which I had been laboring. Cameron and myself had from the beginning of the war been in warm friendly relations and I owed much to him which I can never repay save with gratitude. Therefore, he spoke with directness.

"The President, as you know," said he, "intends to be a candidate

for re-election, and as his friends indicate that Mr. Hamlin should no longer be a candidate for Vice-President, and as he is from New England, the President thinks his place should be filled by someone from that section. Besides reasons of personal friendship which would make it pleasant to have you with him, he believes that as you were the first prominent Democrat who volunteered for the war, your candidature would add strength to the ticket, especially with the War Democrats, and he hopes that you will allow your friends to co-operate with his to place you in that position."

"Please say to Mr. Lincoln," I replied, "that while I appreciate with the fullest sensibilities his act of friendship and the high compliment he pays me, yet I must decline. Tell him that I said laughingly that with the prospects of a campaign before me I would not quit the field to be Vice-President even with himself as President, unless he would give me bond in sureties in the full sum of his four years' salary that within three months after his inauguration he will die unresigned. Ask him what he thinks I have done to deserve to be punished at forty-six years of age by being made to sit as presiding officer of the Senate and listen for four years to debates more or less stupid in which I could take no part or say a word, or even be allowed to vote upon any subject which might concern the welfare of the country, except when my enemies might think my vote would injure me in the estimation of the people, and therefore by some parliamentary trick make a tie upon such questions so that I might be compelled to vote. And then at the end of four years, as nowadays no Vice-President is ever elected President, because of the dignity of the position I have held, I should not be permitted to go on with my profession, and therefore there would be nothing open for me to do, save to ornament my lot in the cemetery tastefully and get into it gracefully and respectfully as a Vice-President should do. No, no, my friend. To be serious, tell the President I will do everything I can to aid his election if he is nominated, and that I hope he will be, as until this war is finished there should be no change of administration."

"I am sorry you won't go on with us," replied my friend, "but I think you are sound in your judgment." [1]

[1] The following is a statement of the matter made by Mr. Cameron during his lifetime: —

"I had been summoned from Harrisburg by the President to consult with him in relation to the approaching campaign. He was holding a reception when I arrived, but after it was over we had a long and earnest conversation. Mr. Lincoln had been much distressed at the intrigues in and out of his Cabinet to defeat his renomination; but that was now assured, and the question of

"Is Mr. Chase making any headway in his candidature?" I asked.

"Yes, some; and he is using the whole power of the treasury to help himself."

"Well," said I, "that is the right thing for him to do."

"Do you think so?" said he.

"Yes. Why ought not he to do that if Lincoln lets him?"

"How can Lincoln help letting him?"

"By tipping him out. If I were Lincoln I should say to the Secretary of the Treasury: 'You know I am a candidate for re-election, as I suppose it is proper for me to be. Now, every one of my equals has a right to be a candidate against me, and every citizen of the United States is my equal who is not my subordinate. Now, if you desire to be a candidate I will give you the present opportunity to be one by making you my equal and not my subordinate, and I will do that in any way which will be the most pleasant to you, but things cannot go on as they are.' You see I think it is Lincoln's fault and not Chase's that he is using the treasury against Lincoln."

"Right again," said Cameron; "I will tell Mr. Lincoln every word you have said."

What happened after that is history.

Preparations were pushed with vigor for the opening campaign. During the early days of April despatches came from General Peck that the enemy were preparing to attack Plymouth.

General Wessels, in command there, however, whose gallant defence of the place is applauded, gave me his belief that the post could be held, if the navy could hold the river. Commander Flusser (who was a Farragut, wanting thirty years' experience, and no higher praise can be given) was sure that he could meet the rebel iron-clad ram, and laughed to scorn the idea of her driving out his gun-

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a man for the second place on the ticket was freely and earnestly discussed. *Mr. Lincoln thought and so did I that Mr. Hamlin's position during the four years of his administration made it advisable to have a new name substituted.* Several men were freely talked of, but without conclusion as to any particular person. Not long after that I was requested to come to the White House again. I went and the subject was again brought up by the President, and the result of our conversation was *that Mr. Lincoln asked me to go to Fortress Monroe and ask General Butler if he would be willing to run, and, if not, to confer with him upon the subject.*

"General Butler positively declined to consider the subject, saying that he preferred to remain in the military service, and he thought a man could not justify himself in leaving the army in the time of war to run for a political office. The general and myself then talked the matter over freely, and it is my opinion at this distance from the event that he suggested that a Southern man should be given the place. After completing the duty assigned by the President, I returned to Washington and reported the result to Mr. Lincoln. *He seemed to regret General Butler's decision, and afterwards the name of Andrew Johnson was suggested and accepted.* In my judgment Mr. Hamlin never had a serious chance to become the vice-presidential candidate after Mr. Lincoln's renomination was assured."

boats. An attack was made in the night of the 19th of April, by the rebel ram. Flusser was killed by the recoil of a shell from a gun fired by his own hands; the Southfield was sunk; the Miami partially disabled and the rest of our fleet driven out of the Roanoke; the rebel gunboats commanded the town, and Plymouth, after a brave defence, was captured with some sixteen hundred men and considerable provisions.

By direction of the lieutenant-general, I ordered Washington, N. C., to be evacuated, and the troops sent to join the force preparing for the campaign. It will thus be seen that my opinion, given to the War Department upon taking command of this department, that Plymouth and Washington were worse than useless to us, was unhappily verified.

On the 9th of April, General Grant wrote to General Meade a letter[1] in which he set out his whole plan of campaign, which shows how fully at that time the plan of my operations became a fixed fact, and further, how fully it was determined that General Grant should strike the left flank of Lee and turn that so as to drive him into Richmond, which he afterwards did. But Grant was repulsed at the Battle of the Wilderness, so that it became necessary for him to march by his left flank and come down to co-operate with me against Lee, as he afterwards did, at City Point, Bermuda Hundred, and Petersburg.

In consultation with Gen. Wm. F. Smith, as to the movements of the enemy in North Carolina, the subject of my proposed army co-operation with the Army of the Potomac, by moving it to that State, was discussed with General Grant at his visit. Smith very much favored it, saying our army should be called the "Army of Cape Fear River." I learned afterwards from General Smith that General Grant had considerably favored such co-operative movement before he came to Fortress Monroe, and that Smith himself was quite impressed with it, as, among other things, it would be a means of relieving our forces in North Carolina from their impending danger. Meanwhile, orders came to the quartermaster to prepare transportation for two and a half millions of rations to North Carolina. With this fact in view, knowing that General Smith had strongly advised a movement into North Carolina instead of up the James, and fearing lest the lieu-

[1] See Appendix No. 17.

tenant-general, in his kindness of heart and delicacy toward me, a stranger, had, partly from these motives, yielded to my plan of movement up the James, when his own unbiassed judgment would have dictated a different course, and thinking perhaps, also, that he might have desired to give General Smith a separate command, if it would not interfere with mine, I sent General Smith, at his own request, to General Grant, bearing a letter in which I took leave to say that if a movement upon the enemy in North Carolina was intended, as I was inclined to believe was the case because of the fact that the quartermaster had been called upon to furnish transportation for two and a half millions of rations to that State, any disposition of the troops under my command which he might think best in the interests of the service, would be most agreeable to me, and that I should be happy to co-operate with him in any such movement.[1]

I received from General Grant a generous and considerate reply to my letter, in which he assured me that no operations in North Carolina were intended, and that it was his wish that with all the forces of the Army of the James that could be spared from other duty, and such additional troops as had been ordered to report to me at Fortress Monroe, I should seize upon City Point and act directly in concert with the Army of the Potomac, with Richmond as the objective point.[2]

On the 21st of April, Lieutenant-Colonel Dent, of General Grant's staff, came to Fortress Monroe as bearer of a letter and memorandum of instructions.[3] Before his arrival Plymouth, which General Grant desired should be held at all hazards, had fallen; but everything else for which they provided had already been done.

From my conversation with Grant and from his reiterated instructions that I was to "intrench and fortify at City Point and Bermuda Hundred;" that "our new base was to be established there;" that "I was to obtain a footing as *far up the south side of the James as I could, in co-operation with the navy;*" that "if I could reach the James above Richmond, with my left resting on the south bank, he would join me there," i. e., on the north bank of the James, thus scooping Richmond out of the Confederacy; that "that might be advisable, anyhow;" that I should "make an attack on the city only in case" I heard of his advance on that side, "or the enemy

[1] See Appendix No. 18. [2] See Appendix No. 19. [3] See Appendix No. 20.

looking for danger on that side;" and because it was impossible for the fleet to go above Osborn, which is just below Trent's Reach, I drew and sent to Admiral Lee, in obedience to the lieutenant-general's letter, after full verbal conference with the admiral and at his request, a plan of the operations to be made, a copy of which was sent to General Grant, and submitted to the President, and never dissented from in any quarter.[1]

It appears, both from the instructions and the plan, that while Richmond was my "objective point," yet it was never contemplated by them or by me, that any attack or assault should be made upon Richmond, except in co-operation with the Army of the Potomac, or any movement made further up the river than the navy could aid me. General Grant had told me, in conversation, if I could hold the Petersburg and Richmond Railroad cut *for ten days*, and secure our proposed base at Bermuda and City Point, that by that time he would join me there, or on the James above Richmond, having either whipped Lee's army or forced it into the intrenchments around Richmond, when the combined armies of the Potomac and my command would invest Richmond, the navy holding the James as we approached.

It further appeared from the reply of Admiral Lee[2] that it was considered by him impossible for the navy to go above Trent's Reach or Osborn, on the right of the proposed intrenched lines of Bermuda Hundred, which was the highest point ever reached by the navy until after the surrender of Richmond. The admiral also doubted whether it was possible to make the movement a surprise, and argued strenuously against an attempt by the joint expedition to go above City Point,— Osborn, the point proposed by me, being almost twenty miles beyond by the river.

To divert the enemy's attention, all the white troops were concentrated at Yorktown and Gloucester Point, and all the colored infantry and artillery at Hampton, the colored cavalry at Williamsburg, and all the white cavalry at the line beyond Norfolk in the direction of Suffolk.

About the 1st of May West Point, at the head of York River, was seized, preparations were made for building wharves and landings, and fortifications were begun, as if with the intention of making this the base of operations for a junction with Grant's army.

[1] See Appendix No. 21.

[2] See Appendix No. 22.

General Meigs, quartermaster-general, was of opinion that it would be nearly, if not quite impossible to gather sufficient transportation to move at one time thirty thousand men more than a hundred and thirty miles, or move with their artillery and supplies, at least without attracting the attention of the enemy, because when General McClellan tried to move the Army of the Potomac from Washington to Fortress Monroe, scarcely twenty-five thousand men were able to be got afloat at one time, after months of preparations known to the whole country.

But, notwithstanding his opinion, General Meigs most earnestly and zealously aided our enterprise, and allowed me to procure in my own way all the transportation I deemed necessary to move the army and its supplies. But it was impossible to obtain sufficient transportation to take with us all the supply trains of the army, and it was some days before our whole trains got up, although every exertion was made by Colonel Biggs, chief quartermaster of the department, and Col. J. Wilson Shaffer, my chief of staff, to whose powers of business organization the country is largely indebted for a movement of troops which, for numbers, celerity, distance, and secrecy, was never before equalled, in any particular, in the history of war.

On the 30th of April I received from General Grant my final orders,[1] to start my forces on the night of the 4th of May so as to get up James River as far as possible by daylight the next morning, and to push on with the greatest energy from that time for the accomplishment of the object designated in the plan of campaign.

General Gillmore did not arrive from Charleston until the 3d of May, so that I was deprived of the full opportunity of organizing the Tenth Corps, and did not have so much consultation with him upon the plans of the movement as was desirable. His reasons for the delay were substantially set forth in a letter which I addressed to General Grant on the 20th of April.[2]

The iron-clads had not come up, and both these causes of delay were sources of great anxiety as well to the lieutenant-general as to the general commanding the department.[3]

On the 4th of May the embarkation began at Yorktown,[4] of the Tenth and Eighteenth Army Corps, under the command of Generals W. F. Smith and Q. A. Gillmore, amounting to about twenty-five

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[1] See Appendix No. 23.
[2] See Appendix No. 24.
[3] See Appendix No. 25.
[4] See Appendix No. 26.

thousand men. The colored troops (part of the Eighteenth Corps), about fifty-five hundred men, under command of Brig.-Gen. E. W. Hincks, embarked at Fortress Monroe. At sunrise of the 5th, General Kautz, with three thousand cavalry, moved from Suffolk to cut the Weldon Railroad at Hicksford, and thence to join us at City Point. Col. Robert West, with eighteen hundred colored cavalry, moved at the same time from Williamsburg to meet us at Turkey Bend, opposite City Point.

The armed transports, under the command of Brig.-Gen. Charles K. Graham, moved at night on the 4th up James River, destroyed the enemy's signal stations, and arrived at City Point at 11 A. M., of the 5th, finding no torpedoes. This service was most gallantly and skilfully performed.

At daylight of the 5th the whole transport fleet was assembled at Newport News, and ascended the river, led by the iron-clads and the vessels of the fleet, under Acting Rear-Admiral Lee. Wilson's Wharf was seized and occupied by two regiments of colored troops. Fort Powhatan, seven miles above, was also occupied by a regiment of the same troops, all under the immediate command of Brig.-Gen. E. A. Wilde, who had remained in the service although he lost an arm at the battle of Gettysburg.

General Hincks, with the remainder of his division, seized City Point and began fortifying it, while the white troops of the two corps pushed on to Bermuda Hundred, and by eight o'clock ten thousand men, with their artillery, were landed. The colored troops thus took the first possession of the James, and were intrusted with the duty of keeping open the water communications of the army, which duty was ever after fully done by them, although they were several times attacked by the enemy.

We arrived about five o'clock in the evening. As soon as my boat had come to anchor one of my confidential scouts came off to it. He had been at Richmond some weeks, and he brought me a letter from my correspondent there, Miss Van Lieu. He stated that quite all the troops had gone from Richmond to Lee's army, relying upon that city being garrisoned by troops which had shortly before been sent down to North Carolina from there, and were expected back. But they had not yet returned, and if I would send up at once before it was known that I was there, Richmond could be

taken without any difficulty. The Southern troops were expected very soon, so that the attack must be made at once.

I placed the most implicit reliance upon this statement and was very much tempted to march myself with what troops I had landed and seize Drury's Bluff at least. It was a march of but a little rising fourteen miles. My map showed that there was a stage road direct up to the Richmond turnpike, and then, of course, directly into Richmond.

I called on my generals, Smith and Gillmore, and explained this plan. I said to them that our troops were perfectly fresh, and that



CONFEDERATE CAPITOL AT RICHMOND.

indeed they would be better for a march, having been twenty-four hours on the transports. I showed them by the map that there was a direct road up there. The night was a fair one and not dark, and I suggested to them that they march as soon as the men had got their coffee and supper. The men all had two days' rations in their haversacks and I would send up plenty of supplies by the wagons in the morning, and they could easily get there by daylight. They both very strongly objected to the expedition. One of them intimated that he should feel it his duty to refuse it even if it were ordered. I said I should not order it for I could have no hopes of an expedition made against the will of the commander.

I was tempted to go myself, but I had Kautz out before the enemy, and West with his negro cavalry out making a demonstration on the Chickahominy. I had all the details of the movement of the army only under the personal supervision and knowledge of my staff, and I thought it was my duty not to go. I sent, however, for Weitzel, but then it had got quite well along in the night. Weitzel said to me: "General, I shall go if you order me to, as you know, and do the very best I can, but it is exceedingly hazardous, and if it should fail after your two corps commanders, Smith and Gillmore, have so strenuously advised that it should not be undertaken, it would entirely ruin you, although to take charge of it under your orders would not harm me. They have been to me and told me what you want done, and supposing you would send for me have advised very strongly against it. And as your strongest friend, I myself must advise against it, especially because I think they will throw every obstacle in the way of our having an early march." At this I gave it up.

The only delay experienced in the movement up James River came from General Gillmore, who did not effect his embarkation with the celerity which his orders and place in line required, and I telegraphed him that having waited for his corps from Port Royal, I was not a little surprised at the necessity for waiting for him at Fortress Monroe, and instructed him to push forward.[1]

During the 6th the remainder of the troops were landed. A march of about seven miles brought us to the proposed line, which was at once occupied, and intrenching begun. It was discovered that on the opposite side of the Appomattox, at Springhill, the ground overlooked the Bermuda side. We occupied this point by General Hincks with his colored troops, and a very strong redoubt was constructed, effectually holding the right bank of that river, and covering the left flank of our line.

On the same day General Smith made a reconnoissance toward the railroad between Petersburg and Richmond, but did not strike the road.

On the evening of the 5th of May our operations were communicated by telegraph to the lieutenant-general.[2]

In pursuance of my instructions from General Grant that I should cut the railroad leading into Richmond so as to stop the enemy's

[1] See Appendix No. 27.

[2] See Appendix No. 28.

supplies, as fast and as early as possible, without waiting for the report of Kautz's cavalry which were to cut the railroad south of Petersburg, I determined at once to make a demonstration in my front to destroy the railroad as far as possible between Petersburg and Richmond, especially at Chester Junction, where there was a branch road which came around Petersburg and led to it and Richmond.

Accordingly, on the morning of the 7th, I ordered Gillmore to move to his front and demonstrate against the railroad for that purpose. He reported to me that he "did not make the movement for reasons which appeared to him perfectly satisfactory."

On the same morning I received a telegram from Mr. Stanton, giving such information as the department possessed in regard to the operations of General Grant, a copy of which I at once sent to my two corps commanders, Generals Gillmore and Smith, accompanied by despatches urging upon them the necessity for diligence in putting their lines in posture of defence.[1]

Meanwhile I determined to cut the railroad by a movement which should not fail, and putting it under the command of General Smith, I issued an order to General Gillmore to cause one brigade of each division of his command to report, for the purpose, to General Smith at eight o'clock on the 7th. I informed General Smith of this order, and also directed him to make a like detail from his command for the purposes of this movement.[2]

Although my order to Gillmore was explicit, yet he claimed that his troops which I had ordered should report to General Smith, were still under his own command; and because of his unofficer-like interference it became necessary that I should issue a general order placing General Smith in command of the detached forces of the Tenth and Eighteenth Army Corps, which had been ordered to operate toward Petersburg and Richmond on the railroad.[3]

By this movement we succeeded in destroying a portion of the railroad between Richmond and Petersburg, so as to break off communication between these points and interrupt the forwarding of troops and supplies from the South to Lee's army.

On the evening of the same day a report of operations was telegraphed to the Secretary of War.[4]

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[1] See Appendix No. 29.
[2] See Appendix No. 30.
[3] See Appendix No. 31.
[4] See Appendix No. 32.

In my report to the Secretary of War I made a request for a portion of the reserves which General Grant had assured me were to be collected in Washington, to be sent to the "weak points," with the idea that if we had them we could demonstrate toward Petersburg with one portion of our force, and toward Richmond with the other, each column strong enough to sustain itself, after leaving enough to complete the intrenchment of our lines, which was deemed of the first importance. Besides, as the Army of the Potomac was to join us in a few days "anyhow," the reserves would be with us ready for service. But, I suppose, we were not the "weak point," as with the exception of a single regiment of heavy artillery for the trenches, no substantial reinforcements ever came to us until after we were joined by the Army of the Potomac; but, on the contrary, as will be seen hereafter, we sent seventeen thousand men to the rescue of Grant's army at Cold Harbor.



GEN. CHARLES A. HECKMAN.

Finding it impossible to get on with Major-General Gillmore's tardiness of movement, and knowing that he was before the Senate for confirmation to the grade which he filled, I wrote a note to the Chairman of the Military Committee of the Senate, asking that he bring his name before the Senate at once and have it rejected by that body, giving my reasons for making the request.[1]

I prefer to give from the documents and contemporaneous action, such criticism or laudation of the acts of officers under my command as occurred from day to day, when the mind could view them impartially by light of results, and omissions, or blunders in action or conduct, unprejudiced by subsequent events or malign influences, rivalries, or ambitions. I never gave an officer my confidence whom I did not think worthy, and if any blame or praise was due to him it came at the time. It was never an afterthought arising from

[1] See Appendix No. 33.

his subsequent acts toward me, censuring either my military or political conduct.

On the 7th General Smith struck the railroad near Port Walthall Junction, and began its destruction. Generals Brooks and Heckman of his corps had severe fighting, with some loss, but with more damage to the enemy.

Colonel West, of the colored cavalry, had most successfully performed his march, having driven the enemy from the fords of the Chickahominy after a lively skirmish, and crossing and joining us opposite City Point, as ordered.

During the day of the 8th no movement was made, but the troops were given rest, dispositions being made to move our whole force to the railroad and destroy as much of it as possible. General Smith was to endeavor to reach the railroad bridge over Swift Creek, supported by General Gillmore on the left toward Chester Station.

It was found quite impossible to discover any ford to cross the creek, and the railroad bridge was strongly held by the enemy with intrenched artillery. General Gillmore's command destroyed a large portion of the road, and in the afternoon the troops were got in position to force the enemy back on the next day. That evening I had a consultation with my corps commanders, and it was determined that we should make a vigorous movement on the morrow to pass Swift creek, to reach the Appomattox, and destroy the bridges across it. Co-operating with this, General Hincks was to move on the south side of the Appomattox upon Petersburg itself, and at least create a diversion, if he did not carry the city, while the enemy were defending the line of the creek. Orders were prepared and sent to General Hincks for that purpose. At the close of the consultation he was advised by a despatch that it was thought best he should not advance beyond his picket-line before 7 A. M., so as to give an opportunity for all the rebel forces to be drawn to the front of General Smith, from whom Hincks should have word before engaging the enemy.[1]

Upon my return to my headquarters that evening I found several despatches from the Secretary of War, giving information of the movements of General Grant.

The first stated that on Friday night Lee's army was in "full retreat" for Richmond, Grant pursuing; that Hancock had passed

[1] See Appendix No. 34.

Spottsylvania Court-House, on the morning of the 8th; and that Fredericksburg was occupied by Federal forces.[1]

This was followed by the information that another despatch from Grant had just been received at the War Department; that he was marching with his whole army to make a junction with me, but had not determined his route.[2]

A despatch of a still later hour brought from the War Department the intelligence that advices from the front gave ground for the belief that Grant's operations would prove a success and complete victory, and that the enemy's only hope was in heavy reinforcements from Beauregard.[3]

To this news, which I fully credited, save as to the reinforcements, as I had Beauregard at Petersburg, I made reply, detailing the operations under my command, and stating that Beauregard, with a large portion of his force, was, by the cutting of the railroads by Kautz's cavalry, left south of Petersburg, while the portion of his forces under the command of Hill which reached that city had been whipped by us that day, after a severe fight, so that General Grant would not be troubled with further reinforcements to Lee from Beauregard's army.[4]

If "Lee's army was in full retreat toward Richmond," "Grant pursuing with his army on Friday night" (the 6th) (not true), if "Hancock had passed Spottsylvania Court-House on Sunday morning, the 8th" (not true), if "Grant, on that day, was on the march to join me, but had not determined the route" (not true), if "General Grant's operations had proved a great success and a complete victory" (not true), and "the only hope of Lee was in heavy reinforcements from Beauregard" (which I knew was futile), then it was plain that I should carry out my instructions, secure my base at Bermuda Hundred, and move as far up the James as possible, to co-operate with the Army of the Potomac in its investment of Richmond.[5] No

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[1] See Appendix No. 35.

[2] See Appendix No. 36.

[3] See Appendix No. 37.

[4] See Appendix No. 38.

[5] Lieutenant-General Grant, in his report to the country, made fifteen months afterwards, gives a different account of the "victories," "full retreats," and "rapid pursuit," of the days from the 6th to the 9th of May. It is not true that he had not determined his route on the 8th, assuming his now report to be true; for he says that on the 7th, "I determined to push on, and put my whole force between him and Richmond; and orders were at once issued for a movement by his (the enemy's) *right* flank." This would bring General Grant to the James, below Richmond.

*Extract from General Grant's Official Report, pp. 6, 7.*

"The Battle of the Wilderness was renewed by us at 5 o'clock on the morning of the 6th, and continued with unabated fury until darkness set in, each army holding substantially the same

time was to be lost in attacking Petersburg upon either side of the Appomattox, but Richmond was to be invested on the south side of the James in ten days from the 4th of May, to hold all the troops there from marching to the aid of Lee, and I was to throw my force between Beauregard and Lee, and prevent a possible junction of their forces. General Grant's victorious army was pressing the broken troops of Lee within three days' march of Richmond at the moment, and while I was securing the line of the Appomattox, Lee might be upon my rear and line of communications. At the same time I received a despatch which showed that the enemy had withdrawn from North Carolina, and might be concentrating upon Richmond to form a junction with Lee.[1]

The enemy had already withdrawn all their troops from South Carolina. While meditating upon all this information, the correctness of which I could not doubt, for it had been sent from General Grant for my guidance, I was roused by a communication from both of my corps commanders, in the handwriting of General Gillmore, suggesting, as the result of a conference between them, whether it would not be better to withdraw our forces to our lines, destroying all that part of the road north of Chester Station, and then cross the Appomattox on a pontoon bridge and cut all the roads, entering Petersburg on that side.[2]

To that letter I at once replied that, while regretting the infirmity of purpose which did not permit them to state to me while personally present the suggestion contained in their note, but allowed me to go to my headquarters under the impression that a far different purpose was advised by them, I should not yield to their written suggestions which implied a change of plan within thirty minutes after I left

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position that they had on the evening of the 5th. After dark, the enemy made a feeble attempt to turn our right flank, capturing several hundred prisoners and creating considerable confusion. But the promptness of General Sedgwick, who was personally present and commanded that part of our line, soon re-formed it and restored order. On the morning of the 7th, reconnoissances showed that the enemy had fallen behind his intrenched lines, with pickets to the front, covering a part of the battle-field. From this it was evident to my mind that the two days' fighting had satisfied him of his inability to further maintain the contest on the open field, notwithstanding his advantage of position, and that he would wait an attack behind his works. I therefore determined to push on, and put my whole force between him and Richmond, and orders were at once issued for a movement by his right flank. On the night of the 7th, the march was commenced towards Spottsylvania Court-House, the Fifth Corps moving on the most direct road. But the enemy, having become apprised of our movement, and having the shorter line, was enabled to reach there first. On the 8th, General Warren met a force of the enemy which had been sent out to oppose and delay his advance, to gain time to fortify the line taken up at Spottsylvania. This force was steadily driven back on the main force, within the recently constructed works, after considerable fighting, resulting in severe loss to both sides. On the morning of the 9th, General Sheridan started on a raid against the enemy's lines of communication with Richmond. The 9th, 10th, and 11th were spent in manœuvring and fighting without decisive results.

[1] See Appendix No. 39.

[2] See Appendix No. 40.

them. I also stated to them that the advices received from the Army of the Potomac convinced me that our movement should be toward Richmond, and gave orders for the disposition of their troops, having in view an early demonstration up James River from the right of our position. And with this letter I sent the proper orders to my corps commanders to carry out the movement indicated in it.[1]

General Gillmore having stated in reply to my letter that he did not know what I intended to do, I directed that he should meet with me for consultation. He did so, and after the fullest explanation of my plan of operations made no objection.

After he retired, I sent a despatch to General Hincks informing him that the news received from the Army of the Potomac would involve a change of plan, and gave him orders not to move on Petersburg as was intended, but to devote his energies to perfecting the defences at City Point and Fort Powhatan.[2]

It will be observed that one movement to take Petersburg was thus frustrated by information from headquarters through Washington which was in every substantial particular *misleading and untrue.*

There was severe fighting on the night of the 9th, the enemy making an attack in force upon Generals Brooks and Heckman, but were handsomely repulsed.

On the 10th the plan of withdrawal of the troops from Swift Creek was carried out without loss, and the railroad wholly destroyed for seven miles, under my personal supervision, there being no such agreement between my corps commanders as would lead them to do any other thing in unison save to protest against the plans of the commanding general.[3]

Generals Smith and Gillmore made separate replies to my letter. These replies did not agree with each other, and, what was of more consequence, they had no effect upon my plans under the instructions and recent information I had received from Lieutenant-General Grant. Another letter of General Smith[4] shows the state of co-operative feeling between my two corps commanders upon other subjects of joint action. They would not now be published save that justice requires that their answers to my implied censure should be made public. This is but fair-play.

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[1] See Appendix No. 41.
[2] See Appendix No. 42.
[3] See Appendix No. 43.
[4] See Appendix No. 44.

Those letters plainly demonstrate that which had become painfully evident before — that my two corps commanders agreed upon but one thing and that was, how they could thwart and interfere with me. Smith's letter shows that Gillmore would do nothing in the world to aid Smith. I did not then think Smith was quite in that frame of mind towards Gillmore, but other evidence has shown me that he was. Indeed, as will appear, it was impossible even to get them to join their intrenchments on our line. One insisted on building on one line, and the other insisted on building on another. This required me to detail General Weitzel from the command of his division to be chief engineer of the department, in order to get these intrenched fortifications, on which our whole safety depended, put in order so that they could be capable of being defended by a small force while we demonstrated towards Richmond.

About twelve o'clock, while the movement of the 9th was going on, the enemy, advancing from Richmond upon our rear, attacked the covering force of the Tenth Corps under Colonel Voorhis of the Sixty-Seventh Ohio, and for a moment forced him back, although he gallantly held his position. General Terry, with the reserve of that corps, advanced from Port Walthall Junction. Two pieces of artillery that had been lost were re-captured by a gallant achievement of the Seventh Connecticut Volunteers, under Lieutenant-Colonel Roman, who drove the enemy back with loss to them of three hundred killed. The woods from which the enemy had been driven took fire under a high wind and their dead and severely wounded were burned. General Terry held his position till night and then withdrew to his place in line. As Brigadier-General Turner's division was retiring, General Hagood, by authority of General Bushrod Johnson of the Confederate forces, sent a flag of truce asking permission to bury their dead and to bring off their wounded, which was granted.

On the morning of the 10th I received advices by signal from General Kautz announcing his return with his entire command. He had failed to reach Hicksford, but had burned the Stony Creek bridge, the Nottoway Bridge, and Jarratt's Station, and captured about one hundred and thirty prisoners, with a loss to his command of about thirty, killed and wounded.[1]

Wishing to have the assistance of General Kautz's cavalry in the

[1] See Appendix No. 45.

contemplated movement I gave them rest, and to put the lines in the best possible order to be held with a small force, I rested on the 11th, making ready to move by daylight on the 12th. On the 11th the following orders were issued to the corps commanders and preparations were made to carry them out:—

HEADQUARTERS IN THE FIELD,
May 11, 1864, 9.30 P. M.

MAJOR-GENERAL GILLMORE, COMMANDING TENTH ARMY CORPS:

A movement will be made to-morrow morning at daybreak of the troops in the manner following: General Smith will take all of his corps that can be spared from his line with safety, and will demonstrate against the enemy up the turnpike, extending his line of advance to the left, with his right resting, at the beginning of the movement, on the river at or near Howlett's house, pressing the enemy into their intrenchments with the endeavor to turn them on the left, if not too hotly opposed. General Gillmore will order one division of his corps to report to General Smith with two days' rations ready to march at any time at or after daylight, at General Smith's order. General Gillmore will make such dispositions with the remainder of his corps as to hold the enemy in check if any movement is made upon the rear of General Smith or upon our lines from the direction of Petersburg, holding such troops as may not be necessary to be thrown forward by him upon the turnpike, in reserve, ready to reinforce any point that may be attacked.

Of course, General Smith's demonstration will cover the right of General Gillmore's line of works, unless he [General Smith] is forced back. General Kautz has orders to proceed as soon as the demonstration of General Smith's troops has masked his movements from, at, or near Chester Station, to make demonstrations upon the Danville railroad for the purpose of cutting it. It is intended to develop [by this movement] the entire strength of the enemy in the direction of Richmond, and, if possible, either to force them within their intrenchments or turn them, as the case may be. If successful, it is supposed that the troops will occupy, during the night, the line of advance secured. General Hincks has orders to seize and hold a point [on the Appomattox] opposite General Smith's headquarters pending this movement. The commanding general fails to make further orders in detail because of personal explanation given to each corps commander of the movement intended.

Respectfully,

BENJ. F. BUTLER,
*Major-General Commanding.*

For good and sufficient reasons, although it called me to abandon my base temporarily, I came to the conclusion to take command in person of this movement so that nothing should be lost because of any disagreement between my corps commanders, neither of whom really desired that the other should succeed.

At daybreak on the 12th, all the movements were made in conformity with these orders. Brigadier-General Ames' brigade was posted near Port Walthall Junction to cover our rear from the enemy's forces arriving at Petersburg from the South. The enemy met us at Proctor or Mill Creek, and after several severe engagements were forced back into their first line of works around Drury's Bluff. As soon as the roads by Chesterfield Court-House were opened by our advance, in obedience to the instructions of the lieutenant-general, General Kautz was sent with his cavalry by those roads to cut the Danville Railroad and the James River Canal. He was not able to strike the canal, but cut the road near Appomattox Station, and thence marched along the line of the road destroying it at several points, but did not succeed in destroying the Nottoway Bridge. Thence, he struck across to the Weldon Railroad again destroying it at Jarratt's Station, and thence by a detour came to City Point.

On the 13th, the enemy making a stand at their line of works, General Gillmore was sent to endeavor to turn their right while Smith attacked the front. Both movements were gallantly accomplished after severe fighting. Meantime, I endeavored to have the navy advance so as to cover our right, which rested near the river, from the fire of the enemy's fleet. But from the correspondence that ensued, it was obvious that we could have no assistance from the navy above Trent's Reach.[1]

On the 14th, General Smith drove the enemy from the first line of works, which we occupied. In the morning of that day I received a telegram from the Secretary of War stating that a despatch just received reported a general attack by Grant, in which great success was achieved; that Hancock had captured Maj.-Gen. Edward Johnson's division, and taken him and Early, and forty cannon, and that the prisoners were counted by thousands.[2]

Twelve hours later the Secretary of War sent me a second tele-

[1] See Appendix No. 46.

[2] See Appendix No. 47.

gram confirmatory of the first, in which I was informed that Lee had abandoned his works, and that Grant was pursuing.[1]

These telegrams strengthened me still further in the view that it was necessary to invest Richmond as closely as possible, and prepare to meet General Grant around the intrenchments above the city, to which point I supposed he was marching.

Oh, that the news contained in those despatches had been true![2]

Believing the information to be true I sent a despatch at 7 P. M. to General Ames, who was watching the enemy at Petersburg,



General Butler's Horse.

enclosing "glorious news from Grant," and asking him to guard against surprise and night attack, and to report to me frequently.[3]

Having sent away General Kautz with his cavalry, in obedience to "instructions," I was much crippled in my movements for want of a sufficient cavalry force to cover my left flank, which was "in the air."

[1] See Appendix No. 48.

[2] General Grant, in his report (page 7), gives a very different account of the operations of "yesterday" (the 12th), as will be seen by the following:—

"The 9th, 10th, and 11th were spent in manœuvring and fighting, without decisive results. . . . Early on the morning of the 2th a general attack was made on the enemy in position. The Second Corps, Major-General Hancock commanding, carried a salient of his line, capturing most of Johnson's division of Elwell's Corps and twenty pieces of artillery. But the resistance was so obstinate that the advantage gained did not prove decisive. The *13th*, *14th*, *15th*, *16th*, *17th*, and *18th* were consumed in manœuvring and *awaiting* the arrival of reinforcements from Washington."

[3] See Appendix No. 49.

To observe the enemy in my rear so as to release the large force which I was obliged to leave there for the purpose of covering my rear, I endeavored to supply this deficiency as below set forth.

At evening of the 14th General Sheridan was reported by Lieutenant-Colonel Fuller, chief quartermaster, as having arrived at Haxalls, or Turkey Bend, on the opposite side of the river, some fourteen miles below, where he asked to be supplied with rations and forage. I telegraphed to Colonel Fuller to give General Sheridan all the forage and rations he needed.[1]

Later in the day I sent a despatch to General Sheridan requesting that he join me with his command, and suggesting that I wished he might be able to capture Chaffin's farm on his side of the river, where there were about two hundred men.[2] But in any event I desired that he send up a force along the north bank of the James to search for torpedoes, and the wires and batteries by which they may be discharged, with instructions to burn any house in which such machines were found, and send to me any persons captured having anything to do with them. I also asked for a personal interview at the earliest moment.

On the 15th General Sheridan called on me at the front, and in conference with him I learned that he thought it would take seven or eight days to refit the horses and men of his command to make his return march. Trusting that General Grant would be with me before that time, and deeming that if General Sheridan's command, numbering four thousand effective men, were encamped on the right of my lines near Howlett's house, where there was an admirable place for a cavalry encampment, that it would be so much in effect addition to my force, holding the position which I desired should be held by the navy, I gave him orders to bring his command at once across the river to Bermuda landing, and encamp it between Howlett's house and the railroad, and informed him that the quartermaster would supply him with the necessary transportation and forage.[3]

At the same time I instructed him to turn over all his disabled and unserviceable horses to the quartermaster at Bermuda, to be turned out to graze.[4]

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[1] See Appendix No. 50.
[2] See Appendix No. 51.
[3] See Appendix No. 52.
[4] See Appendix No. 53.

General Sheridan on the next day sent me a copy of his instructions from the Army of the Potomac, but declined to make the movement ordered, although I believe by the Articles of War, having come within the territorial command of a superior officer, he was bound to obey his orders. On the 17th, however, finding that his horses were recruited sooner than he expected, he left us and began his return march. He found out very soon that his horses could be recruited in two days instead of *eight*, when he was called upon to do something for his country.[1]

[1] This statement implies a censure on General Sheridan. It seemed to me, when I wrote it, to be just, as it did at the time of the occurrence, and so I choose to let it stand; but since then I have seen publications in which it appears that after General Sheridan called on me and received my orders, — which he disobeyed, — he had a consultation upon the situation with Maj.-Gen. Wm. F. Smith, and got advice from him as to what he should do, which seems to have determined his conduct. So that censure, and very much more, belongs to Smith.

## CHAPTER XV.

## OPERATIONS OF THE ARMY OF THE JAMES AROUND RICHMOND AND PETERSBURG.

ON the morning of May 16, shortly before five o'clock, I was awakened by a very sharp musketry fire. I at once mounted my horse and rode to the field. I ascertained that the demonstration on the right was too vigorous to be a feint. I immediately issued an order to Gillmore to attack the enemy with rapidity,[1] supposing that they had massed their troops on the right and that Gillmore would be able to go through their line if he attacked with promptness and resolution. But the enemy had made a feint on his line by some artillery fire, and by the exhibition of hardly more than a skirmish line.

I got a reply[2] from him some hours afterwards in which he stated that the enemy had made two attacks upon his front and were handsomely repulsed, but he made no explanation why, with my order in his hands, he did not, having repulsed the enemy, follow up the repulse and make his attack while the repulsed troops were retreating.

I did not appreciate then, as I do now, that it was not the practice in our war where the enemy's attacks were repulsed, that the advantage gained should at once be followed up. A very notable instance of this was at the battle of Gettysburg, where, if the repulse of Lee's army had been followed up, all know now it would inevitably have been destroyed, and every officer ought to have known it then. On the other hand, an example of what can be done by following up a repulse is seen in the result of the action of General Thomas at Nashville, by which he substantially destroyed Hood's army.

From an interview with Sheridan, I learned what Lee and Grant had done in the march from the Rapidan. The position of

[1] See Appendix No. 54.

[2] See Appendix No. 55.

Grant's army and its distance from Richmond, contradicted all the despatches I had received from Washington, and I judged that it was impossible for him to do otherwise than to take the alternative in the plan agreed upon between us, in case he failed to turn Lee's left and drive him back into Richmond, where I was to meet him in ten days. Evidently Grant was not coming to Richmond but had marched by his left flank to join me at City Point, intending to continue his operations on the south side. I had performed my part by being around Richmond, holding its outer defences on the south side of James River, and now that Richmond had been so largely reinforced, and as the army of Beauregard was continually receiving troops from the South in my rear, I concluded that I would not continue to hold my position more than a day or two longer —long enough to hold a road open for Kautz to find his way back to join us if he had met with disaster. The fortifications of our intrenched camp at Bermuda were by no means in such condition as they needed to be, to be thoroughly impregnable to the attack of the whole of Lee's army, he having the interior or shorter line. He might attempt to carry them and thus force Grant, whom he had learned was to make this his new base, into the position in which McClellan was at Harrison's landing. Accordingly it was imperative that I should no longer peril the safety of Grant's new base, and also probably the safety of his army.

In other words, I must carry out the other branch of the plan agreed upon between Grant and myself, namely, to make him an impregnable base to which to bring his army in case of repulse, and whence he might commence his operations against Richmond, — where, in my belief, they ought to have been begun at first.

Impressed with these considerations I had determined, — in case of failure in getting possession of Drury's Bluff, which, once obtained, could be held by us as an almost impregnable camp for any length of time, as it could be reached by our boats on the James, — to retire and finish the intrenchments at Bermuda Neck.

I had done up to this time what I had agreed with General Grant to do: I had seized City Point and Bermuda by a surprise; I had brought my army, against all opposition and without any considerable loss, to the intrenchments of Richmond, and was there victoriously awaiting him; and I had kept more than thirty thousand

rebel troops more than ten days, busy defending Richmond, so that they might not join Lee's army. I had also cut the Weldon Railroad two successive times by my cavalry. I had cut the Petersburg Railroad and prevented the sending forward of troops and supplies, and I had cut in many places the Danville Railroad, the other supply road of Lee. This statement needs no corroboration now, but if it did, the despatches of Beauregard to the rebel war authorities would be sufficient. They would show the danger to which I was exposed, as the Confederates believed, if they should get between me and my intrenched camp, — a danger wholly frustrated by the conclusion to which I came. They also bear witness to the enhanced value and the great importance to our forces of the strategic movement, admittedly devised by myself, of seizing and holding City Point and Bermuda Hundred.

To determine advisedly any course of action at once save the one directed to Gillmore, it was necessary to wait until the very thick fog, which had enveloped everything, could be cleared away by the sun. When that had been done, I learned that the Confederates had massed by far the largest portion of their troops in the breastworks opposite my right flank, which was held by the Eighteenth Corps, with the intention of turning it and then seizing the shortest and best road to my intrenchments, the river road, getting their forces there by a break through the weak line I had left, and seizing Bermuda Hundred with all its advantages, thus accomplishing results of the greatest moment.[1]

During the day before the battle of Drury's Bluff, May 16, the line covering Smith's corps had been intrenched. The line of Gillmore's corps was defended by the outer line of the enemy's intrenchments which we had taken and were using substantially in reverse.

Breast-high intrenchments had been made in front of the line held by the Eighteenth Corps, and in a substantially clear field almost within cannon shot of the intrenchments of the enemy. These works had been extended as far as the line could be covered, leaving only a short space, say a quarter of a mile, between the James River and the right of the line, which was held by the cavalry pickets only.

[1] See Appendix No. 56.

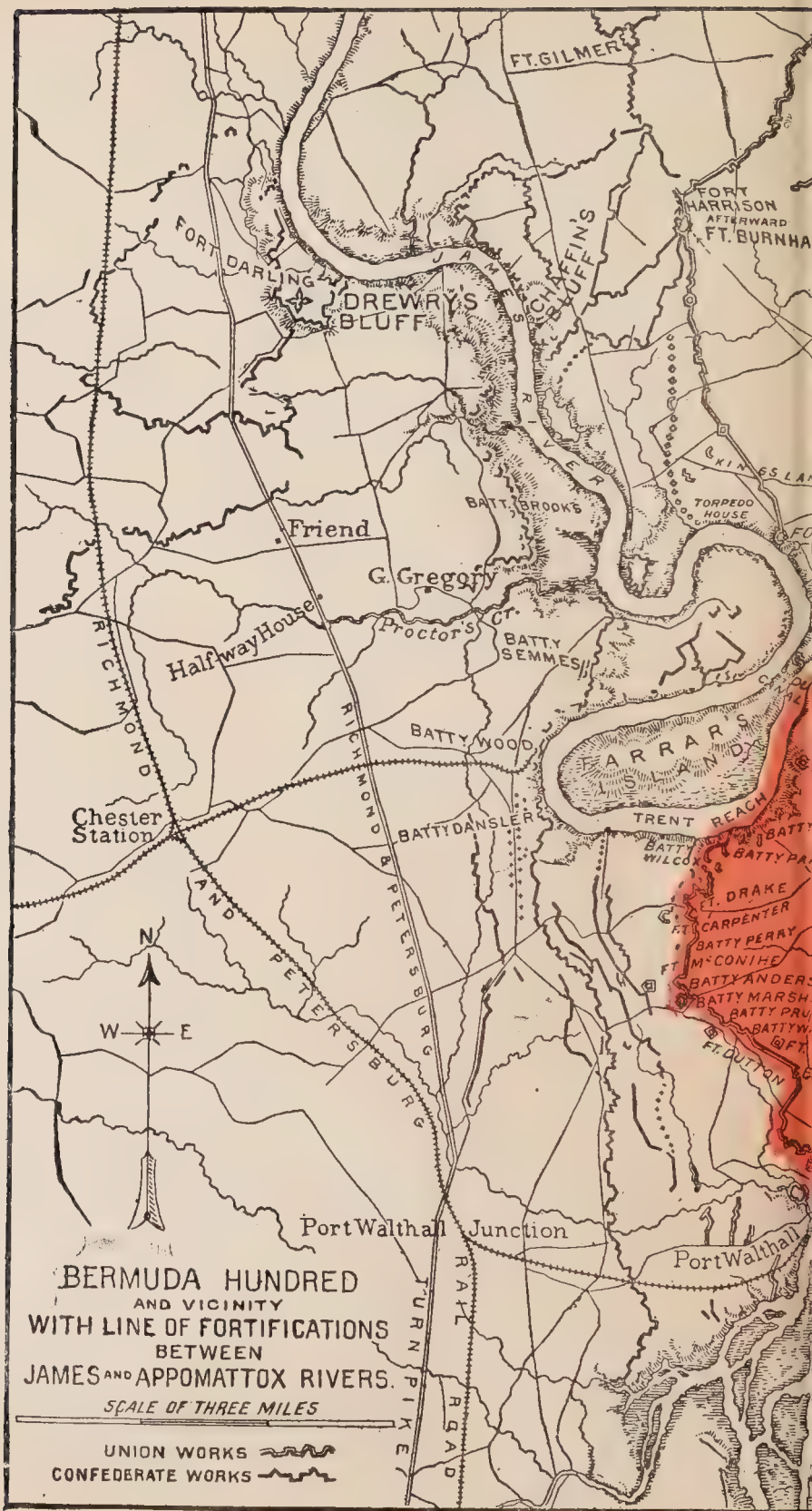
To prevent a night surprise, a farmhouse about one hundred yards beyond the right of my line had been seized, and I had ordered it to be held by a picket of some sixty sharp-shooters. This would prevent a noiseless turning of our flank in the night-time. The enemy, appreciating this, had twice during the day attempted its capture, but it was held.

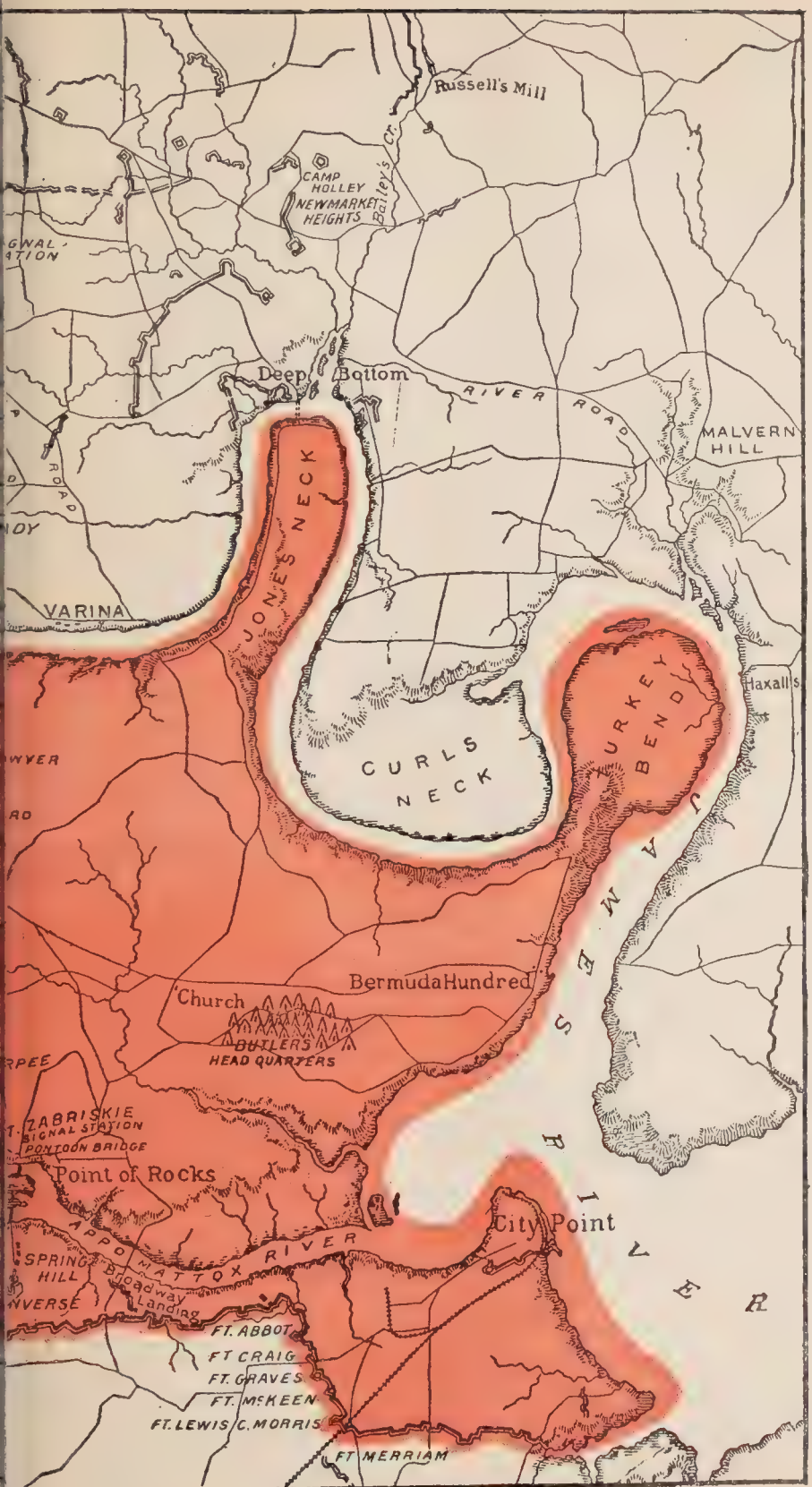
At the suggestion of General Weitzel, General Smith had ordered the front of his corps to be protected by telegraph wires taken from the poles of the line along the railroad — of which we had nine miles uninterrupted possession — and wound around the stumps of trees in front of his line and around posts driven into the ground. This wire was strung at such a height that the enemy making a charge in the night would assuredly stumble over it and be thrown down in masses within some fifty yards of the muzzles of our guns.

That order was carefully and properly executed by Weitzel and Brooks in the front. They commanded the left and centre divisions of the Eighteenth Corps line. Heckman's brigade and Weitzel's division held the extreme right. For some reason, never yet satisfactorily explained, the putting up of that wire, which events proved would have been of the greatest security, was neglected in front of Heckman's brigade, the extreme and exposed right of the line. As that brigade was "in the air," that is, substantially without support on its right, there was almost a necessity for a double line of wire in its front. But there was none whatever there. The order to put it there, his division commander reports, was given to Heckman. I have seen in one of the many publications of Smith on this subject that he says it was because there was not enough wire with which to do it. How that can be I do not understand, for there was nine miles of that wire to be had for the taking, and the time in which to do it was more than ample.

In one of his later publications Smith says that no wire was ordered to be put in front of Heckman's brigade, and Heckman in his report speaks of no order to put the wire in his front. If there was no order given to have it done, it is very clear the order should have been given, as Heckman's brigade was on the right, in a position which most needed such protection.

It would have been better to have extended the wire a considerable distance to the right of Heckman's brigade.


FT. GILMER
FORT HARRISON
AFTERWARD
FT. BURNHA
FORT DARLING
DREWRY'S BLUFF
JAMES RIVER
CHAFFIN'S BLUFF
KINGS LA
TORPEDO HOUSE
BATT. BROOKS
Friend
G. Gregory
Proctor's Ct.
BATTY SEMMES
Halfway House
RICHMOND
BATTY WOOD
FARRARS ISLAND
TRENT REACH
Chester Station
BATTY DANSLER
BATTY WILCOX
FT. DRAKE
FT. CARPENTER
BATTY PERRY
FT. McCONIHE
BATTY ANDERS
BATTY MARSH
FT. CUTTON
RICHMOND & PETERSBURG
AND PETERSBURG
N
W
E
Port Walthall Junction
Port Walthall
TURNPIKE
RAIL ROAD
BERMUDA HUNDRED
AND VICINITY
WITH LINE OF FORTIFICATIONS
BETWEEN
JAMES AND APPOMATTOX RIVERS.
SCALE OF THREE MILES
UNION WORKS
CONFEDERATE WORKS


Russell's Mill
CAMP HOLLEY
NEWMARKET HEIGHTS
Bailey's Cr.
Deep Bottom
RIVER ROAD
MALVERN HILL
JONES NECK
VARINA
CURLS NECK
TURKEY BEND
Haxall's
JAMES RIVER
Bermuda Hundred
Church
BUTLERS HEAD QUARTERS
ZABRISKIE SIGNAL STATION
PONTOON BRIDGE
Point of Rocks
City Point
APPOMATTOX RIVER
SPRING HILL
Broadway Landing
FT. ABBOT
FT CRAIG
FT. GRAVES
FT. McKEEN
FT. LEWIS
C. MORRIS
FT MERRIAM

Before dark there were two regiments in reserve near the centre of Smith's line, one of which would have covered the assumed gap on Heckman's right.

I give Heckman's account of the attack: —

In the afternoon General Smith visited my line and everything having been explained to him he seemed to realize our peril, as no military man could help doing, and exclaimed: "Heckman, this is fearful!"

Belger's battery and a section of twenty-inch rifles were sent me later in the afternoon, and subsequently withdrawn to the centre for safety, where they were captured the next day. Afterwards a breastwork of such material as could be hastily gathered, was thrown up so that the position so essential to the safety of the army could be defended to the last. At midnight the rebels moved out from their works, massing strongly on my assumed right held by the Ninth New Jersey, and just at daylight, having obtained position, rushed with great impetuosity on my pickets, but after a desperate struggle were forced back by Captain Lawrence. Shortly after this a dense fog suddenly enveloped us and completely concealed the enemy from our view, and five picketed brigades in column debouched from their works and rapidly advanced on a run to our main line. When only five paces intervened between our inflexible line and the rebel bayonets, a simultaneous scorching volley swept into the faces of the exulting foe, smiting hundreds to the earth and hurling the whole column backward in confusion. Five times encouraged and rallied by their officers, that magnificent rebel infantry advanced to the attack, but only to be met and driven back by those relentless volleys of musketry. Finding it impossible to succeed by a direct attack, they advanced on my flank, in column by brigade and for the first time during the war we were compelled to fall back and take up a new position. In the dense fog I soon after found myself in front of an Alabama brigade, commanded by Archie Gracie, formerly of New Jersey, who recognized me and said he was glad to see me, and was proud to say he had been fighting Jerseymen, but that he had only a skirmish line left.

I never at any other time experienced such a musketry fire as on that day. It was one incessant volley and its terrible fatality may be judged from the fact that the enemy acknowledged a loss of 4,500 men — more than the Star Brigade [Heckman's] numbered — on my front alone; and I lost nearly all my field and line officers.

The ultimate results will be sadder when it is remembered that it was all caused by the incompetent handling of the Army of the James.

General Grant laid the onus of the failure on General Butler in a caustic paragraph of his official report. The press and the histories of

the war blame Butler with the severest language, and even now the nation at large call him "Bottled-up-Butler." But the opinions of intelligent officers who fought in the campaign, and who judged it impartially from a military point of view as well as the facts, will rather lay the fault at the door of his corps commanders, Generals Gillmore and Smith. They did not seem to comprehend what was to be done, and then failed to co-operate in what attempts they did make.

General Heckman also makes some very severe strictures upon the fact that General Butler and his command were around Richmond instead of being around Petersburg.

These are the result of his want of information. I was where I was, in direct obedience to the plan of campaign to which I was confined by the orders of General Grant. After General Heckman was captured and saw the numbers and condition of the rebel troops in front of us, he declared that if Gillmore had made the attack on the left at the time of the rebel attack on the right of our line, he could have gone in and captured the enemy's works.

The rest of the Eighteenth Corps, having been aided by the wire which threw down the enemy as they attempted to rush upon its lines, maintained a steady fire, inflicting upon the enemy a very terrible loss. Meanwhile, having left to General Gillmore's discretion, after several hours' delay, whether he should make an attack, and he having informed me that he was falling back, and for other reasons that I have in part stated, I came to the conclusion that it was my duty, Grant not having met me "in ten days" from the time of his crossing the Rapidan, to proceed to carry out the rest of his instructions by ordering a withdrawal of my force from the enemy's front. This was done leisurely, and without any attack or interference by the enemy.

As soon as we reached our line of intrenchments the most laborious and pressing endeavors were made to strengthen them, and particularly to close up the gap a little north of the centre of our line, where the intrenchments had not been joined on account of the disagreement of Smith and Gillmore as to where the line should be. For that purpose, by a general order, I made General Weitzel chief engineer of my army, putting the whole work under his immediate order and command as representing myself.[1]

[1] See Appendix No. 57.

With all our diligence we were not soon enough to be ready for the enemy. They commenced demonstrations on the 18th, on the right of my line, which were repulsed. These were followed up, on the 19th, by further demonstrations, which were apparently reconnoissances.

On the morning of the 20th, Beauregard, with a large force, made a very vigorous attempt to force our lines, striking, as he naturally would, at the weakest point. This point was where the work of constructing and arming the redoubt to flank any movement upon the main line had not been fully completed. Between nine and ten o'clock in the morning the enemy set fire to the brush and dry wood that extended out a very considerable distance before our line, and the wind being favorable, the fire was driven in upon us. Before the smoke had cleared, the enemy came rushing on. They were met by the troops of the Tenth Corps, who steadily held their position and repulsed each attempt to dislodge them.

The enemy's attacks were made with great impetuosity, and I was under the impression that it was possible that the left of the Tenth Corps might be obliged to give way. I knew the right of that corps was being demonstrated against further north. There was no movement against the line on Smith's front, although to be prepared for it his troops stood in line of battle, and could have met it well. Having observed all the conditions from a little eminence just inside our lines, where the enemy chose to do me honor by opening with some light artillery upon myself, staff, and orderlies there assembled, I sent one of my aides to General Smith with direction to have his right division under General Brooks march by his right flank to the rear of Gillmore's left division, which was bearing the brunt of the attack, as a reserve in case they showed symptoms of breaking. The distance which Brooks' division would have to move was but little more than half a mile. Just before my staff officer started with the order, a very daring charge upon our line was made under the leadership of Brigadier-General Walker. Whether it might have been a success, partial or other, it is impossible to determine, because he fell with desperate wounds from which he soon afterwards died.[1]

[1] On General Walker's body was found a photographic map of all that part of Virginia between Richmond and Petersburg, in which we were operating. This was exceedingly valuable, as in our army we had no map which gave us any correct information of the topography of the country or the position of the enemy's works.

In a few minutes my staff officer saluted me and said: "General, I have delivered your order."

"What was General Smith's answer?"

"General Smith replied: 'Damn Gillmore! He has got himself into a scrape; let him get out of it the best way he can.'"

I said to my aid, "Ride with me," and we rode to Brooks' line, and fortunately found him at the head of his division. I then repeated my order to him and told him that he must execute it without waiting for it to come from General Smith, for there was necessity that he should, and that I would go and see General Smith.

I then immediately rode on to General Smith's headquarters, which were at the centre of his line, and said to him: "General, I sent you an order. My staff officer has reported to me your answer to it. Captain, state in the presence of General Smith his reply."

My staff officer repeated the reply as he had at first stated it to me. Smith then said: "By what I said I meant no disrespect to yourself."

"It is not such an answer as should have been made to one of my staff officers," said I. "But now is not the time to deal with that question. I have directed General Brooks to make the movement, and I now direct you personally to see that it is promptly done. You will report upon this subject to my headquarters this evening, provided the battle is over by that time." I rode rapidly back to my point of observation. Shortly afterwards Brooks' division crossed the crown of the knoll behind where I stood, and came in sight of the enemy. From that time their efforts weakened, and after a while ceased, and they withdrew and left us to go on diligently putting our line of defences in perfect order.

On the 19th of May, Beauregard had twenty-five thousand men, not reckoning those in Petersburg or Richmond.[1]

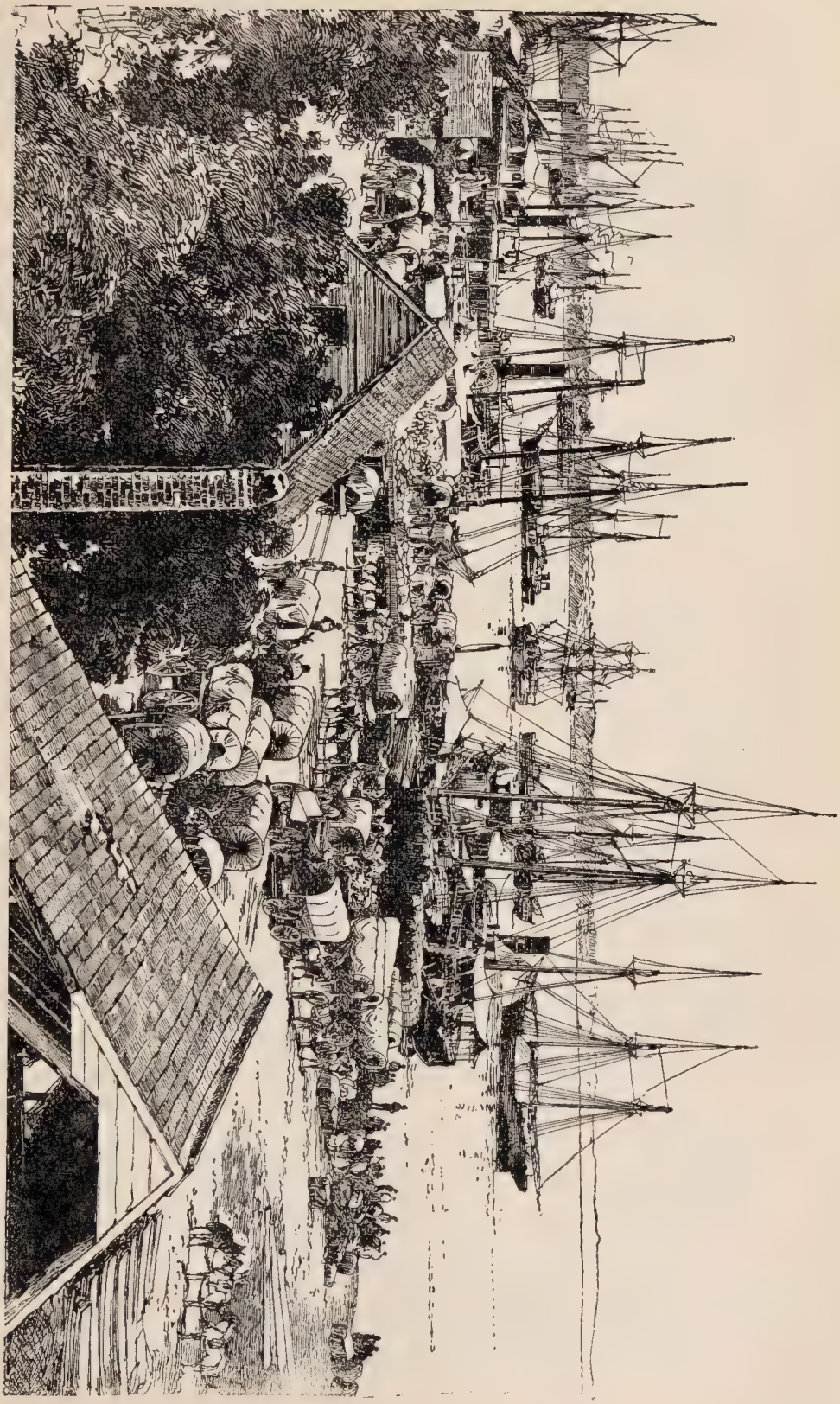
On the morning of the 21st he attacked our lines and we held them against him.[2]

At that time I had not more than twenty thousand effective men at Bermuda Hundred.

In the meantime General Meigs and General Barnard had been sent down by Halleck to inspect my department to ascertain how

[1] See Appendix No. 58.

[2] See Appendix No. 59.



HEADQUARTERS OF GENERAL GRANT AT CITY POINT, VA. From a Photograph.

many men could be sent to the aid of Grant: Owing to the disputes between Gillmore and Smith as to the line of fortification, it was in no condition to be safely held by fifteen thousand men.

The rebel troops being driven away, Beauregard came to the conclusion to make no further attack upon my lines. About nine thousand of his men were sent to Lee by the way of Richmond,[1] and Colquitt's brigade of fourteen hundred men was sent to Chaffin's Bluff. Those which were ordered to Lee could not have joined him, under the condition their railroad transportation and supplies were in, before the 3d of June. Between that time and the battle of Cold Harbor there were no considerable losses, and, as Grant reports, the contests during that time were in his favor; so that he was not impeded at all by the want of troops from the Army of the James. He got sixteen thousand of them on the 28th of May before the next great battle at Cold Harbor was fought, and they included the best men I had.

Whoever, therefore, reported to Grant that I was not holding ten thousand men from Lee's army, simply told what was not the fact, probably to break up my army. I believe it to have been Halleck. It may have been Sheridan, as he made a raid upon Richmond at that time expecting to capture it, because, as he supposed, the troops had been drawn from there to Lee's army, and they would fear no attack from me, my troops being withdrawn from Bermuda Hundred.

Those sixteen thousand men under Smith were of no earthly advantage to Grant. It would have been very much more to his advantage if he had not had them, as without them he probably would not have made the fight at Cold Harbor. That fight was simply an indiscriminate slaughter of our men to the number of eighteen thousand, and more than three thousand were of the troops I had sent, — and better officers and soldiers never stood in line.

On the 22d of May, Fitzhugh Lee was sent to capture Wilson's Wharf, Fort Pocahontas. As has been already stated, the place was seized when we went up the river, so that our transports should not be stopped.

Fitzhugh Lee thought that with his cavalry, infantry, and artillerymen, amounting to some twenty-five hundred men, he could easily

[1] See Appendix No. 60.

capture that place, which was held only by two regiments of negroes under General Wilde. Accordingly, before he began, he sent a summons to surrender, informing the commanding officer that if he surrendered, the officers and negro troops should be treated as prisoners of war, but if they did not, and he captured the place, he would not be answerable for their treatment. That treatment was stated in Davis's proclamation to be that the negroes should be returned to their masters, and the officers sent to the governors of the States, to be there tried for inciting negro insurrection.

The noble answer of General Wilde to those propositions was: "We will try that." Thereupon Fitzhugh Lee did his best. The negroes held firmly, and Lee retired beaten in disgrace, leaving his dead on the field.

It will be observed from the instructions which I gave General Hinks,[1] who commanded the troops holding Fort Powhatan, that I was exceedingly anxious for the safety of that point, because that was the weak point of my whole position. For, although it was some twelve miles below City Point on the James, yet if it were once in possession of the enemy, it would be impossible to get any troops or supplies up the river, as the channel ran close under it. My experience with Vicksburg, which was on a bluff high above the possible range of the guns of the fleet, which were not mortars, told me that if Fort Powhatan were once captured by the rebels, it could be easily held against the naval vessels. I was anxious lest it should be taken by surprise, and therefore, from day to day almost, I persisted in cautioning Major-General Hinks, who was in command. He was a very excellent and able officer, with but a single drawback, and that was very infirm health, arising from wounds received in the army of McClellan before Richmond.

It may be asked why, if it was of so much importance, I entrusted its defences to a garrison of negro troops. I knew that they would fight more desperately than any white troops, in order to prevent capture, because they knew — for at that time no measures had been taken to protect them — that if captured they would be returned into slavery, under Davis's proclamation, and the officers commanding them might be murdered. So there was no danger of a surrender. Wilde's answer to Fitzhugh Lee, and the gallant fight of

[1] See Appendix No. 61.

his negroes at Fort Pocahontas, Wilson's Wharf, when threatened that this should be done to the negroes if they did not surrender, made me certain that nothing but a surprise would get that position; and nobody ever did get it.

The experiment of Fitzhugh Lee at Wilson's Wharf taught the rebels a lesson as to the conduct of negro troops. Negro troops were never captured in a fort entrusted to their defence.

I at length learned that General Grant would now certainly come and join me at City Point, and that he was waiting for events to determine whether he would call to his assistance the Eighteenth Corps.[1] Having also learned that there was in Petersburg a possible aggregation, including reserves, militia, and convalescents, of some two thousand men, of which not more than two thirds would be substantially effective, I organized an expedition of eleven thousand men under General Smith, and put them in column at Bermuda Hundred to attack Petersburg on the 29th of May. They were ready to march the very next morning, but on the evening of the 28th the transportation to take them away arrived with positive orders that they should at once go to Grant.

Much as I desired the capture of Petersburg, which was as certain as any future event could be, I felt it my duty, knowing in what straits General Grant believed himself to be, to give, although reluctantly, the order for their embarkation.

The Eighteenth Corps, as then reorganized, contained some sixteen thousand effective men, and their removal left me actually at Bermuda, — reckoning the cavalry, a part of whom were armed only with pistols, and possible convalescents in the hospitals, — less than eight thousand effective troops,[2] leaving only small garrisons at Spring Hill on the enemy's side of the Appomatox, City Point, Fort Powhatan, and Fort Pocahontas.

The capture of Fort Powhatan or Fort Pocahontas, or both, by the rebels would render it impossible for Grant to cross his army over the James, because the boats could not get up near enough to allow him to continue his line of march by the Chickahominy route across the James River.

I should have felt little alarm for the safety of Bermuda had my fortifications been completed in Gillmore's front. Although twice

[1] See Appendix No. 62.

[2] See Appendix No. 63.

as much time had been wasted as was necessary to complete them, General Weitzel, my chief engineer, reported to me that not half the work which I supposed had been completed, had been done.

Still the capture of Petersburg lay near my heart. It will be seen that the removal of Smith's corps on the 29th of May, when they were ready to march to capture Petersburg, had frustrated that capture for the second time, as the false reports from Washington had done the first time. I caused the most accurate reports possible of the strength of my forces to be made to me, and I also caused the most accurate investigations to be made into the question whether some portions of the enemy's troops had not been withdrawn from Petersburg after the removal of Smith's corps had become known to the rebels, upon the supposition on their part that I would afterwards undertake no offensive operations.

In all movements my corps commanders put little or no reliance upon the efficiency of my negro troops. There was a stupid, unreasoning, and quite vengeful prejudice against them among the regular officers of our army with the exception of General Weitzel, who had seen their performances in conjunction with his expedition in the Department of the Gulf.

There was a belief among the rebels that we were evacuating Bermuda Hundred, and they tested it by several reconnoissances, and by one quite determined attack upon the right of the line. This attack was easily repulsed by General Terry, but with very considerable loss.

After conferring with General Hinks as to the number of negro troops that he could furnish — and he, not being a regular officer, relied upon them, — I planned an expedition against Petersburg, and summoned him to a conference upon that subject.

While we were conferring, General Gillmore, who had been called upon to report what number of troops could possibly be spared from his intrenchments for a movement, visited headquarters and was admitted to the conference. When the condition of things at Petersburg was disclosed to him, and when he learned that I proposed to send General Hinks in command of the expedition, he became very strongly impressed with the great probability of its success, and insisted that he ought to command it, being senior officer. He volunteered to go, and claimed it as his right and as a matter of


Scale.
1/4
1/2
1M
2M.
3 MILES
Talbot
Talbot
Cobbs Signal Tower
ASHTON SWAMP
Port Walthall
Strahn
Point of Rooks
Pontoon Bridge
APPOMATTOX
RIVER
Titus
Barton
Broadway
Bland
Tusculum
Spring Hill
Capo
McAlte
McAlty
Simpson
Gilliam
Owns
Temple
Temple
Fanie
Clifton
Arlington
Green
Bull Hill Creek
ROAD
Rushmore
RAILROAD
Battle


Archer
Beasley
Walthall
Dr Shand
Saw Mill
Blank
Baylor
CITY POINT
Powlett
Gilmores Position
JUNE 9. 1864
Bailey's Creek
Vestal
Boston
POCAHONTOS
Jordan
Butty
JORDAN POINT ROAD
Hinks Position JUNE 9 1864
J. Ruffin
J. Eppes
H Bryant
Paga
Race Course
Gibon
Hare
Old Rock Prison
Blandford
Canal
PETERSBURG
W. & P. R. R.
R. R. Shops
N. & P. R. R.
Griffin
Taylor
Shand
Clarke
Wilcox
VERUSALEM ROAD
McKenzie
Reives
Avery
KAUTZ ATTACK
JUNE 9. 1864.
MAP
OF THE VICINITY OF
PETERSBURG
VIRGINIA
Scale 1/40,000

military courtesy, and I was fool enough to yield to him. I did not then think him a coward, although Grant declined to employ him because he had shown "timidity."[1] I believed that the glory he expected from the success of the expedition would incite him to do all he could. Besides, a large portion of his command would be colored troops under General Hinks, on whom I relied to go forward, if necessary. I gave orders that the white troops should start from my pontoon bridge at daylight, and as it was a march of but some six or seven miles to the outer line of defences of Petersburg, I supposed the attack would be made quite early in the morning. It was also arranged that Kautz's cavalry, starting at the same time, should make a diversion by a feint on Petersburg along the Jerusalem Road, getting there earlier than Gillmore's and Hinks' commands would do, so that the attention of the enemy would be drawn towards Kautz.

The expedition started in time, because I stood behind them and hurried them off. Gillmore had some sixty-five hundred men under his command, besides nearly two thousand of Kautz's cavalry.

The first telegram I received after the expedition started was a complaint and grumble from Gillmore, in which he said: "My command has just crossed the river; some of it has been delayed by losing the road. I have no doubt that the enemy are fully apprised of my movement by the noise of the bridge. It is not muffled at all, and the crossing of the cavalry can be heard for miles."

But why was not the bridge muffled, General Gillmore? You had the command of the expedition in all its parts, and it was your duty to see it properly conducted; why didn't you muffle the bridge? Was it the duty of the commanding general to lug straw and other materials with which pontoon bridges are usually muffled? Further, I have never supposed that the tramp of horses on a bridge could be heard seven miles. And why were your troops not instructed in the road across their own camps so that there should not have been delay in getting there?

From the hour of getting that despatch, heartsick I doubted the result of the expedition.

Kautz went on to the Jerusalem Road, and at ten o'clock Gillmore had approached within "twenty minutes' march" of the intrench-

[1] See Appendix No. 64.

ments at the point where he was to make the attack. Then he halted his troops and went to a "secesh" lady's house to get his dinner. While there, as he afterwards averred, he was informed by her that Petersburg was full of troops. He also halted Hinks' division so far off as not to be in supporting distance of him, he says, but only the same distance from the enemy's lines. Both columns rested there and went no further. The position of affairs will explain itself to one looking at the very accurate map showing their relative positions.

Gillmore got his dinner, picked his teeth, waited until half past three o'clock on a still fair day, with a three quarter moon at night, and then turned about and marched home, encountering the same opposition that he met in marching out, leaving Kautz and his cavalry to take care of themselves.

Kautz had charged up the Jerusalem plank road, driven the force opposing him away, captured a piece of artillery and forty prisoners, and ridden into the town as far up as Jordan's, and then, not hearing anything from Gillmore, although he was within the sound of musketry, he came leisurely back, and without being interfered with.

Gillmore reported to me on his return that the expedition had not succeeded, and that he had not heard of Kautz.

I had the sorrowful pleasure of answering that I had heard of Kautz, as Kautz had been into Petersburg and waited for him as long as he could, and had reported to my headquarters, and brought in his prisoners.

Upon the examination of some of the prisoners captured, I found there was almost no effective force at that time in Petersburg.

I think I cannot better state the condition of the troops of the city of Petersburg than by quoting from the very extraordinary congratulatory order of Brigadier-General Wise, to his command: —

> On approaching with nine regiments of infantry and cavalry, and at least four pieces of artillery, they searched our lines from battery Number 1 to battery Number 29, a distance of nearly six miles.

How true that is will be seen, as nobody but Kautz was in sight of the fortifications that day, and Kautz made his entry into Petersburg. General Kautz reported that near City Point he separated himself from the infantry and marched down Jerusalem plank road

parallel with the line of defences of Petersburg, and met no resistance except from some pickets, until he reached a point on that road some four miles distant from the enemy's intrenchments.

General Wise was evidently very much misinformed. He further said in his congratulatory order that he had Hood's and Batte's battalions of Virginia militia, about two hundred men each; the Forty-Seventh Regiment of Virginia Volunteers numbering about three hundred men; one company of Woods' Twenty-Third South Carolina with some fifty men; Sturdivant's Battery and Taliaferro's Cavalry, with which he kept our forces at bay and punished them severely until they reached the Jerusalem plank road.

General Kautz reports again that he captured all there were of Taliaferro's cavalry outside of the intrenchments.

Wise further adds that he had the following additional forces: Major Archer's corps of reserves, second-class militia, and one howitzer under the command of Brigadier-General Colston, which forces he puts at less than one hundred and fifty; one company of convalescents of say a hundred men more, with say one hundred men for the two batteries of artillery, Graham's and Young's, and say one hundred and twenty men more for a company of convalescents, and a company of *penitents*.[1] These, then, constituted the entire number of men south of the Appomattox under General Wise's command, being, all told, not more than fifteen hundred effective men.

General Kautz reports that he passed the entire line of the intrenchments, being opposed only by a small body of infantry and artillery which did him no damage, and hearing nothing from Gillmore, and not hearing his guns, he burned the camp of the enemy, destroyed their stores and ammunition, and came quietly home.

I felt that Gillmore's conduct was wholly inexcusable and cowardly, and I took measures to have him relieved from his command. He desired a court of inquiry, and was ordered to Washington for that purpose. For reasons unexplained to me that court never assembled, as it certainly did not report. General Gillmore's active service with the armies of the United States during the remainder of the war was desultory in character, and migratory in detail and assignment.

[1] Penitents are soldiers who have been tried by court-martial and committed to prison for their crimes. In some emergencies at Richmond and Petersburg they were released and formed into companies to fight in defence of their prison. How much they would fight after they got a chance to run away need not be discussed.

Prior to the 9th of June, I had erected a lookout in the neighborhood of two hundred feet high. It was composed of trestle work, and the illustration will save a further description. It stood on Cobb's Hill just at the left and near the Appomatox end of my fortifications. It was a great annoyance to the enemy and of exceeding usefulness to me. There was a nine-foot square space on the top to



LOOKOUT AND SIGNAL STATION, COBB'S HILL, BUTLER'S FRONT, ARMY OF THE JAMES.

which two observers could be drawn up in a large basket by means of a windlass. Once at the top of this lookout, a large portion of the peninsula, with all the works of the enemy, and my own lines of pickets and fortifications, for the space of more than three miles, lay like a map under my eyes. Thus the enemy could move no force on the Petersburg turnpike or railroad to or from Richmond without

its being reported to me, a relay of signal officers being always stationed there to make observations through their telescopes, and by means of signal flags communication could be had with all the other points along my lines.

The very deep ravine of which I have spoken, lay between the lookout and the enemy's lines. On the farther side of this ravine was a very high wooded bluff, the elevation of which from the bottom of the ravine to the top was quite equal to the height of the observatory, from which I could communicate by signals to City Point.

On the 9th of June General Beauregard sent the following despatch: —

DONLOP'S HOUSE, June 9, 1864, 12 M.

GENERAL BRAXTON BRAGG:

Enemy has erected an observatory at Cobb's which overlooks surrounding country. The twelve pounder Whitworth at arsenal is absolutely required to destroy it. Please send it by express forthwith, with ammunition complete.

G. T. BEAUREGARD.

A day or two after that I observed from the lookout a small force of men in some activity on the side of the bluff opposite. With our glasses we could observe closely enough to distinguish an officer there. I had been accustomed to be drawn up to the top of the lookout, and to occupy the position there an hour or more almost daily between the hours of ten and twelve, when the atmosphere was clear, examining the condition of my picket line and camps, and the rebel works.

Some days after this I went up to make my observations, as was my custom, and after spending an hour or more I was about to come down when I heard the report of a Whitworth gun, and the terrific shriek of its projectile, which was some two feet long and in shape a four-sided bolt, and, revolving on its axis, made a great noise. Turning my glass as the smoke cleared away, I saw that a small lunette battery had been erected on the bluff, and that from this battery the gun had been discharged. I knew then that the enemy proposed to knock me off my perch. The noise of the first explosion attracted my soldiers. They came running down from their tents behind the breastworks, and gathering at the foot of the tower, many of them kindly called out to me: "Come down, General, come down."

I was considerably frightened, because if one of the projectiles should hit either of the corner posts of the tower, it would have undoubtedly come down, and myself with it, faster than would have been agreeable. But this was no time for the general to show the white feather either to the enemy, who knew I was up there, or to my own men. I ordered my signal officer to signal for two batteries of artillery of six ten-pounders each to come into battery at the breastwork to the right of my tower. The order was obeyed with great celerity.

It takes some time to load a Whitworth gun, but before my battery came up it threw another projectile at me, which went too high. Before they could load again, my guns were put in position, and I signaled them to commence firing slowly by number from left to right, and that I would communicate the faults of their aim, for I could see where their shells struck.

I called out, and my signal officer signalled: "Fire slowly by order." The left gun was then fired. Waiting for the shell to strike I saw the aim was too low.

"Number one fires too low by fifty feet," I called out. "Number two fire."

"Number two fires to the left by some yards."

"Number three, to the right by some yards."

"Number four, good line shot, but too high."

"Number five, a good line shot, but too low. Adjust your aim."

"Number six, good shot, just under the battery."

"Number seven," — and so on with the whole twelve.

Meantime the enemy had sent us another shot but that was much too high, the range of the Whitworth gun being some three miles.

"Now, number one."

"Good shot."

"Number two, too high."

"Number three, too low," — and so on through.

The next shot of the enemy was a little to the left, and not very far off. But our men had got their aim. The order went down: "Carefully, take aim, and fire now as fast as you can along the whole line."

In five seconds the twelve guns were fired, and twelve ten-pound shells struck all about and in that battery. The order went down "Fire

away," and another volley went, the aim being got with exactness. Another volley went, and I saw the men running out of the battery down into a depression in the bluff, and I saw, also, that one or more shells had struck the gun, and that it was overturned. "One more volley; then cease firing," was the order.

I then signalled to my four stout orderlies, who manned the winch that raised and lowered the basket, to take hold, and myself and signal officer were lowered to the ground.

The high appreciation manifested by my men quite paid for the risk.

I never heard from that Whitworth gun afterwards.

I built another observatory, but not so high, at the opposite end of our line on the high bank of the James River, and by means of signals we were in possession of everything material done beyond the James River.

Meanwhile I learned from Grant that he desired a pontoon bridge across the James, at what I thought to be the most proper place, and he sent Colonel Comstock of his staff to confer with me upon the matter.

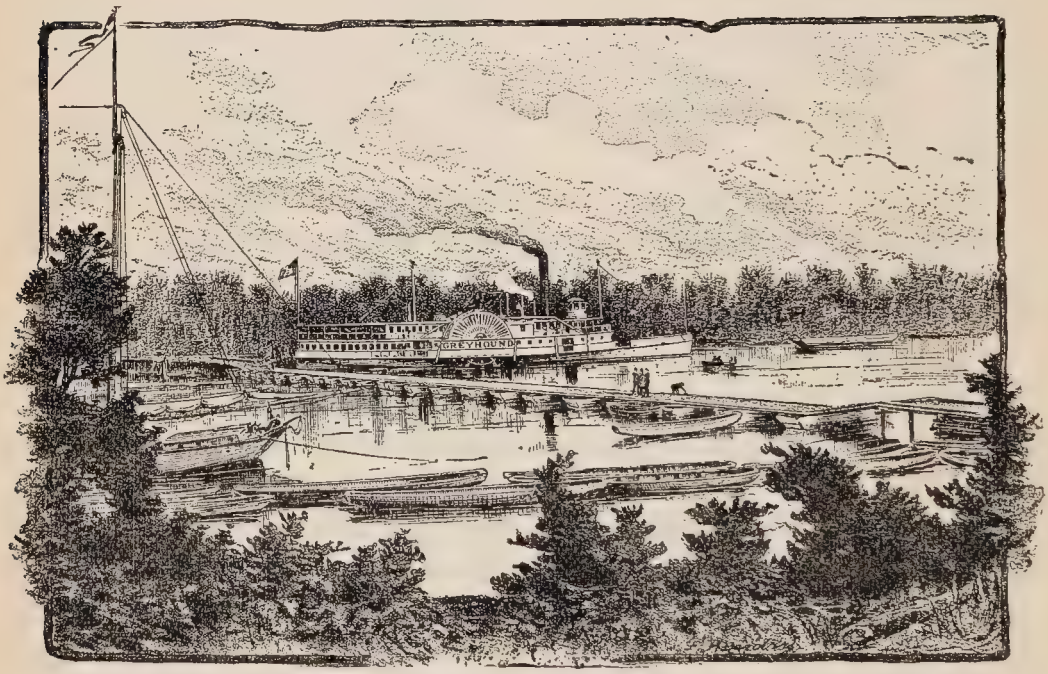
The pontoon equipment had been sent to Fortress Monroe under the command of General Benham. But when instructed by Colonel Comstock to bring his pontoon train up to City Point, Benham refused to obey, upon the ground that having been ordered there by General Meade, he could not leave there without an order from him. So Benham remained there until he got a direct order from Grant.

While this was going on we had determined, on account of the openness of the country and the roads leading towards Petersburg, that the troops should land at Fort Powhatan. On the north side of the river, however, was a marsh nearly a mile long, over which we decided to make a corduroy road for the passage of the troops and began the construction of a good bridge-head.

Although the pressure of time was very great, I had heard nothing of the pontoon train, and after waiting for it nearly two whole days I went down the river in my headquarters boat, the Greyhound. About twelve miles below Fort Powhatan I found the tugs, which had the pontoon train in tow. They were at anchor. I saw the officer in command and asked why he was anchored there. He said he thought it was getting near night — it was five o'clock — and

that he concluded to stop for the night. I peremptorily ordered the tugs to proceed, whoever said anything to the contrary; and they did proceed.

I examined the pontoon train as it went up the river to ascertain the provisions for anchoring the bridge. The tidal current opposite the fort where the bridge was to be built, was very strong both ways. The engineer officer had nothing to hold the boats but ordinary grapnels of a few pounds in weight, and inch warps, about sixty feet long, to each boat. I saw that those, the moment the boats were pressed down, with the current running, would not hold, and




DESPATCH BOAT GREYHOUND.

that the bridge would give way, and the troops, and especially the artillery crossing it, would be lost.

Here was a dilemma and what to do I did not know. But remembering there were quite a number of large sized sutler schooners anchored at City Point, I turned my boat to Bermuda Hundred, called for the provost guard, and seized as many schooners as were necessary. I had them tugged down and anchored stem and stern across the river in two rows, leaving an interval between them wide enough for the bridge, and also leaving an opening for a draw

in the bridge to allow vessels to pass up and down when it was not occupied. All of them had strong chains and heavy anchors by which they were securely fastened so as not to swing with the tide. The sterns of the vessels were to be placed on opposite sides of the bridge facing each other. That is, all the vessels on the upper side of the bridge were anchored with their sterns down river. All below the bridge were anchored with their sterns up river. Then by fastening the warps of the pontoons, head and stern, to the schooners the bridge could be laid and held with safety. The bridge train men worked under my personal direction until late at night, and in the morning the bridge was ready for passage. The engineer had provided himself with no material with which to cover the planks, and they would have been worn out before one third of the troops with their supplies and wagons could have crossed; but, fortunately, I had six saw-mills sawing out planks from the timber of the vicinity for use in building hospitals, and from these mills we were enabled to renew those planks three times, as was necessary, before the bridge ceased to be used. But they would not have so lasted had not great pains been taken to cover the roadway over the bridge as thickly as possible with hay and straw. This was imperative, because when the wheels of a heavy gun rested upon one portion of a pontoon it would be sunk down, and that would turn up the edge of the plank nearest the gun, and it would be almost inevitably splintered and ground off. I received the personal thanks of General Grant for my endeavors in putting the bridge in order with so little delay.

At my suggestion the remainder of the Eighteenth Corps was marched to the White House on York River and placed upon transports and landed at my pontoon bridge at Bermuda Hundred, arriving there on the night of the 14th of June.

General Grant had instructed me that if I thought Petersburg could be captured I should send that corps under command of Smith the next morning with such force as I thought I could spare to make the attack. I knew that but a few more troops had been added to Wise's command in Petersburg, and that all the troops with arms, second class militia, reserves, penitents, and convalescents, did not exceed two thousand effective men. The only anxiety General Grant had about such an attack was lest Lee, knowing

Grant had crossed the James, and having the shorter line and the railroad from Richmond to Petersburg, should move directly to Petersburg, and that when Smith got there, he should find the city occupied by Lee's veterans. Grant was at that time at Charles City Court-House near Wilson's Landing, Fort Pocahontas. He asked me to send two regiments down to that landing to aid Sheridan in defending himself from the attacks of the Confederate troops who were close upon his rear. I sent the troops but advised that Sheridan should fall back the space of three or four miles from where he was to Fort Pocahontas where he would receive from Wilde's troops all the aid and protection he wanted. That suggestion I believe was adopted, but of the details of that I have no recollection, as Sheridan got across safely.

I had advised very strongly that the Second Corps, commanded by General Hancock, which was leading, and Burnside's corps, which was following, both arriving at the river on the 14th, should be hurried with the utmost celerity to occupy the intrenchments around Petersburg. I was sorry, however, to receive an order to send Hancock sixty thousand rations at Windmill Point, which was quite out of the direction for the purpose of a rapid march on Petersburg. Hancock had rations enough to last him three days, and I received an order to send the rations to City Point and thence up the Appomattox to be landed within four or five miles of the rear of Hancock's corps.

I did not share Grant's apprehensions that Lee had undertaken to outmarch him via Richmond to Petersburg. I supposed that Lee would have seen the rear of Grant's forces while they were being passed over the river, always the most dangerous movement for a withdrawing army, and if Lee had marched for the purpose of getting ahead of him he would have been far ahead, for the delays in getting across the river were to me at the time unexplainable.

I knew also that up to that time no troops could have passed through Richmond or below to Petersburg. My lookouts commanded that matter by their eyes and ears day and night. If so much of the defences of Petersburg could be taken as would enable our force to reach the bridges at Swift Creek so as to get that creek and the Appomattox between us and Lee, then by holding that line of communication and demonstrating toward Richmond so as to cut the

Danville road thoroughly and the canal, Lee would be immediately forced South and Richmond would be ours. After consultation I directed General Smith to make his attack upon the upper batteries of the line around Petersburg, although I had learned that the fortifications were stronger there, — that is, they were more pronounced works than those lower works over which Kautz had trotted on the 9th of June. This Smith did.

Smith had with him some eighteen thousand effective men. There were in Petersburg, as I have said, but twenty-two hundred, or one man to every four and one half feet of intrenchments around that city.[1] Of all that Smith had been so thoroughly informed that he knew it. He knew the situation of that part of the fortifications of Petersburg, because up to the time of his attack there had been no substantial change in them for months. My proposition to him was, as to Gillmore, to go in by an attack and "rush," and I represented to him strongly that Gillmore on his expedition had only rushed at his dinner.

Now I think Smith was an efficient soldier in many respects, — although it would seem that I have every cause to dislike the man in every relation of life. But he had one inevitable regular army failing — the vice Assistant Secretary Dana wrote to the War Department[2] Wright and Warren were accused of: "interminable reconnoissances" — waiting and waiting, not going at a thing when he was told, but looking all around to see if he could not do something else than what he was told to do, or do it in a different way from what he was told.

Fearing lest he might believe, as an excuse for reconnoitring, that Lee's troops had gone into Petersburg or could get there before him, I telegraphed him that since he marched, not a body of troops had passed through Richmond on the Petersburg road, the only way they could get to Petersburg.[3] This information I also gave to Grant.

It was impossible for any considerable body of troops to pass into Petersburg through Swift Creek or across the Mattoax Bridge without its being known at my signal stations. In the clear, warm, dry weather that we had, the cloud of dust itself would announce the passage of a squadron of cavalry, and if they came by rail, such passage would be detected at night by the noise of the train, and in the daytime by seeing the cars.

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[1] Article of General Beauregard in *North American Review*, Vol. 145, page 372.

[2] See Appendix No. 65.

[3] See Appendix No. 66.

Any considerable artillery fire at the works where Smith was to attack could instantly be seen from our observatory, and there I spent the earlier part of the 15th, the morning of his march, in watching for his demonstration. Hour after hour passed and nothing was seen or heard. But the observatory gave me an opportunity of examining the line of rebel intrenchments opposite to my line across the James, and the neck between, also the lines of the enemy. I fully convinced myself that the enemy's lines had been abandoned on the night before, and I ordered a demonstration to be made by the few men I had left for the purpose of ascertaining that fact and found that it was true. I could not get that reconnoissance made in force because General Terry was impressed with the idea, which all had, that Lee's troops would be coming down by the thousands within three miles of that line upon the railroad in such force as to be able quite to sweep away the small force with which I held my line, having withdrawn all I could to go with Smith. Now I knew that Lee had not come to Richmond.

I communicated that fact to General Grant and asked him to order one of his corps — and it was unfortunately Wright's corps which he did order — to land at Bermuda and in conjunction with my forces seize and destroy the Petersburg railroad. I did not suppose that we could successfully hold it against Lee's whole army, when it advanced, but I knew that we could delay his advance for hours so as to give Smith time to take Petersburg and allow Hancock's corps, as well as other corps of Grant's army, to get up into that city and hold Swift Creek and Mattoax Bridge over the Appomattox, which, if done, would be substantially an end of the war. Therefore I sent order after order by my staff officers to Smith to attack and so get the Appomattox between himself and Lee. While I thought I could detect some slight skirmishing where Smith's forces should be by the smoke of musketry, and now and then a piece of artillery, yet no movement was being made which deserved the name.

About seven o'clock I observed a semblance only, so far as the smoke of the fighting was concerned, of an attack, and a little later on I got a despatch from Smith saying that he had captured a wide line of intrenchments from Battery Five to Battery Nine of the line, which he had occupied, and I knew this was the capture of the single line of the Petersburg defences.

Hearing nothing from General Smith, early in the afternoon I despatched Lieutenant Davenport of my staff to General Smith to ascertain and report to me why he had not attacked the works in front of Petersburg, and with directions to give to General Smith in person my order for an immediate attack.

Davenport reported to me about 7 P. M. that he had found General Smith on his picket line and had delivered to him in person my orders for an immediate attack, and that General Smith had replied that he had been employed in reconnoitring the enemy's position and had just satisfied himself in that regard and would at once make the attack as ordered. Davenport also reported that in the neighborhood of half past five, he had passed a division of Hancock's corps (Birney's) some four miles from Smith and on the march.

About 8.30 P. M., General Smith's aid reported to me that at 7.25 P. M. General Smith had carried the line of defences near Jordan's and was pushing forward toward the river.

Shortly after General Smith's aid had gone I became anxious lest Smith should cease his movement, and therefore, about 9 P. M. I sent Lieutenant Davenport back to see General Smith and to say to that officer that I desired there should be no question as to his continuing his movement upon the enemy and his attack upon his works.

Lieutenant Davenport reported to me between eleven and twelve that night that he found nothing being done; that General Hancock was up with two of his divisions; that he found General Smith at General Hancock's headquarters; that he delivered to General Smith my orders and received from him the reply that he had determined to make no further attack that night; that General Smith, while not saying that General Hancock,— who was his senior in rank but my junior, and who had been ordered by me, by General Grant's directions, to support General Smith,— claimed to be the ranking officer, did say to him (Davenport) for the evident purpose of creating the impression that such claim was made by Hancock, that Hancock's arrival had left him (Smith) the junior officer; that he had, however, before leaving to return to me, ascertained the fact that Hancock had made no claim to command the movement by reason of his greater rank, but on the contrary had waived his rank and was relieving Smith's troops in the line with his own men.

Upon Davenport's report that Smith refused to obey my orders to renew the attack and purposed losing the advantages the presence of the Second Corps gave him as well as the prestige of success he had gained, with a night as bright and clear as a nearly full moon could make it, I sent Davenport back for the third time with directions to find Smith personally and say to him that I peremptorily ordered an immediate night attack to be made with all his force. This order Davenport was unable to deliver until between four and five o'clock in the morning of the 16th, owing to the fact that General Smith could not be found. His staff officers declared that he had gone to General Hancock's headquarters during the night of the 15th and had not returned to his headquarters camp. As a matter of fact, Smith had hidden himself in a tent pitched among the bushes in the rear of his own camp, among his orderlies and servants, and was there found by Davenport about sunrise.[1]

I can hardly believe that the fact was, as I know it to have been, that from that time Smith made no movement whatever but concluded to wait, and not make any attack until the morning. At that hour there was no other line of intrenchments before him to attack that could have interrupted for a moment his march to hold the bridge over the Appomattox. Smith says that from his knowledge of the topography he held the key to Petersburg. True, he did; but what is the use of holding the key when you have not the courage to turn it in the lock? Smith's curse was that he had graduated as a topographical engineer,— that is, a picture drawer or map maker,— and he was continually making maps before he made his assaults.

I sent him word again to go in with Hancock and he had the mendacity to send me the following despatch: —

COBB'S HILL SIGNAL STATION, 12 P. M.
June 15, 1864.

GENERAL BUTLER:

It is impossible for me to go further to-night, but unless I misapprehend the topography, I hold the key to Petersburg.

*General Hancock not yet up;* General Ames not here; General Brooks has three batteries; General Martindale one, and General Hinks ten light guns.

W. F. SMITH,
*Major-General.*

[1] See Appendix No. 67.

But my staff officer had seen Smith and Hancock talking together. Smith got Hancock at nine o'clock at night to relieve his own men from their position in the fortifications on the ground that they were tired and hadn't ammunition. That they were tired in one sense is most true, not because they had marched some seven or eight miles in the morning, but only because they had stood around doing nothing all the rest of the day. As to his being out of ammunition there was no excuse for that because his men hadn't fired five shots apiece all day and why was not Smith's ammunition there? If he had sent to me, there was time enough in three hours for me to have supplied them with ammunition from Bermuda Hundred, or with anything else they needed. And yet, if they were out of ammunition, he never asked me for a cartridge.

I can imagine the reason why Smith withdrew his troops from the line and got them in a movable column, and had Hancock hold the lines with his men. If Smith had moved at daylight on the 16th, as I rather think he meant to do, then Smith's troops would lead the column and he would get the glory of having captured Petersburg.

Here it is opportune to state a fact that is hardly conceivable save that the evidence of it is overwhelming. *Lee was caught napping.*[1] Although a large portion of Grant's army had crossed the James River on the 15th, and substantially all of it by noon of the 16th, Lee had no knowledge of that fact. Indeed, he had lost Grant's army entirely, and did not know where it was. This fact Beauregard learned at Petersburg on the 16th by a despatch from Lee in which he asks whether he has heard of Grant crossing the James River.[2]

Lee himself did not reach Petersburg until the 18th of June, at 11.20, not until then being convinced that Grant's army had passed the James. This explains fully why none of his troops passed our lines on the 14th, 15th, or 16th, and not until late in the afternoon or evening of the 17th of June.

If General D. H. Hill, of the Confederate Army, is correct, Lee had been caught napping many times.[3]

It is established by incontestable evidence that when Smith made his attack upon Petersburg with more than sixteen thousand men, the negroes under his command captured the redoubts on the line Nos. 5 to 9 inclusive, and broke throught the line from Nos. 3 to

[1] See Appendix No. 68. [2] See Appendix No. 69. [3] See Appendix No. 70.

11, inclusive. The line of redoubts around Petersburg was a single line which extended seven and one half miles.[1]

Smith had that force with which to make the attack. Beauregard had but twenty-two hundred effective men all told, which would give one man to every four and one half yards of the defended line; and from Butterworth's Bridge to the Appomattox, a distance of four and one half miles, the line was wholly undefended. And yet before that line so defended, Smith spent from nine o'clock in the morning of a clear bright day until 7.30 o'clock in the afternoon reconnoitring; and he does not say in his report that he saw a single infantry soldier of the enemy during that reconnoissance.

He left the negroes to do all the work, and they did it; and from General Hinks' statement it appears they would have done a great deal more if Smith would have let them. But Hinks further says that with the concurrence of Smith and Hancock his troops were taken out of the line before ten o'clock and encamped seventy-five to one hundred yards in the rear, and Hancock's men put in to hold the lines which had been captured by the negroes.[2]

In view of these facts, and in view of the statements of my staff officer Lieutenant Davenport, as to where he met the Second Corps marching in the direction of Smith's forces, am I not justified in using the hard word I have used as to the despatch sent me by Smith, "*General Hancock not yet up*"?

I have another fact which determines the reason why this falsehood was sent me: —

Immediately upon the return of my staff officer, I sent him back, after receiving the information that a part of Hancock's corps was with Smith, with a message to the latter to "renew the attack and push on," and that was received by Smith between ten and eleven o'clock at night, and he returned the answer that he could not make an attack that night. I again sent Lieutenant Davenport back with the most positive orders that he should make an immediate attack.

Smith knew that Hancock had been ordered by Grant to move up his corps in connection with Smith to make an attack, and Hancock, gallant soldier as he was, had waived all questions of rank and put the whole affair into the hands of Smith.

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[1] General Beauregard in *North American Review*, Vol. 145, p. 374.

[2] See Appendix No. 71.

My last positive commands did not reach Smith until five o'clock in the morning because he had hidden himself away, as will be seen by the statement of Lieutenant Davenport.

This ended all proper interference of mine with the attack on Petersburg, because, on the morning of the 16th, Petersburg was invested by the army of General Grant under his own command.

Notwithstanding the evidence I had before me of General Smith's wilful disobedience of orders, entire insubordination and mendacity,



AIKENS' MANSION ON JAMES RIVER.

I was still unwilling to report him, as I ought to have done, to be relieved by the lieutenant-general; and so I attempted to remain, as I had been, on friendly terms with him. Although, in order to get rid of my orders to make the attack on Petersburg, he had misrepresented a fact to me, I concluded to overlook it.

We went on, nothing coming up to cause any disagreement until a demonstration was ordered by General Grant to be made from Bermuda Hundred across the James to seize and hold Deep Bottom. This was to be done by a surprise early in the morning, and I

ordered that the movement should be made by the several divisions of the Tenth and Eighteenth Corps at daybreak.

Colonel Foster of the Tenth Corps got there with his troops in time, and the movement was successful. Late that morning I saw General Martindale's brigade pass my headquarters, having to march a large seven miles before he could reach with his command the point at which he was to take part in the movement. If Smith, his immediate commander, had sent Martindale his orders as they were given to him, then here was a very gross dereliction of duty in not moving when ordered. Whereupon I sat down and wrote a letter to General Smith stating the fact,[1] asking him to have the matter brought to the attention of General Martindale in a proper manner. The letter is published to be open to criticism.

Smith telegraphed me back a reply in which he insisted that I had threatened him with relief from command.[2] I had not intended to do any such thing, and the letter does not bear that construction. He was seeking a quarrel, and proceeded to write me that he had moved troops longer than I had, and that he was my superior in that.

As Smith had reported to me at Fortress Monroe in 1861 as a lieutenant of topographical engineers who had never commanded a man in his life except his servant, when I was a major-general in command of several thousand men, and had been moving large bodies of troops from Boston to Annapolis, from Annapolis to Washington, from the capital to the Relay House, and from the Relay House to Baltimore; and had afterwards moved troops from Boston to Ship Island, and from Ship Island to New Orleans, and from New Orleans all over the State of Louisiana, it seemed to me that I had had much more experience in moving troops than he had; and as a topographical engineer is not the highest grade at West Point, I did not think I should be insulted by a second grade West Pointer. I overlooked all that, however, and wrote him an unofficial letter explaining my first letter, asking him if he did not regret sending me such a reply.[3]

By the regulations of the service all communications in regard to military matters are to be forwarded to the superior officer through the officer in the next highest grade, and if this is not done it may be inquired into by a court-martial. Yet Smith sent my letter and

[1] See Appendix No. 72. [2] See Appendix No. 73. [3] See Appendix No. 74.

his reply, but not my unofficial letter explaining it, to General Rawlings, chief of staff of the lieutenant-general, with a note asking that he might be relieved from his command in the department of Virginia and North Carolina.[1]

Of this General Grant took no notice of which there is any official evidence, and Smith went to Washington without the leave of his commanding general, and there saw Senator Foote, of Vermont, and used influence and what statements I know not with the War Department to get an order from the President giving him command of the Eighteenth Corps, which he then had, having taken it out, in fact, from under my command. All this was done through Major-General Halleck, chief of staff, without any notice to me or explanation sought. The order No. 225 was sent to me directly from Washington, and paragraph I. reads as follows: —

> The troops of the Department of North Carolina and Virginia serving with the Army of the Potomac in the field under Major-General Smith will constitute the Eighteenth Army Corps, and Maj.-Gen. William F. Smith is assigned by the President to the command of the Corps. Maj.-Gen. B. F. Butler will command the remainder of the troops in the Department, having his headquarters at Fortress Monroe.

Upon receiving the order I called upon General Grant with it, showed it to him, and asked him if this was his act and his desire, and if so would he kindly tell me what act or fault of mine had caused such action on his part. He replied: "But I don't want this." [2]

Meanwhile, before the order reached General Grant, Smith had asked leave of absence to go to New York. That application, which was *not* sent through me, as it should have been, was granted.[3]

I narrated to General Grant exactly what had taken place with Smith, and said that if I might be permitted to advise, Smith should not be put in charge of the Eighteenth Corps, whatever might happen to me. I said that his conduct in disobeying my order and that of General Grant to make the attack on Petersburg was not

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[1] See Appendix No. 75.

[2] It will be observed that the despatch from General Grant to Halleck was before any complaint had been made by me to Grant of Smith, and Grant asked Halleck to appoint a committee to report the facts and condition of my command.

[3] See Appendix No. 76.

only sufficient to cause his removal, but had caused a very great disaster to the country; yet, while he was a brave enough soldier when left to his separate command, he always employed his time in making reconnoissances and not in making movements when ordered. I said to him: "You know his obstinacy and insubordination, and you know that he is not satisfied with anything that anybody else suggests, and he has not." [1] And I appealed to his justice whether such an act could be done against me upon the representations of such a man. He said this was not what he wanted at all, and that he would remedy it. I bowed and left him. Soon after he issued an order [2] revoking the order referred to, and a little later he relieved Smith from command, and sent him after his friend McClellan into retirement, of whom in New York Smith immediately became a very violent political supporter. Grant then ordered the Nineteenth Corps to my command.[3]

I am thus careful in giving exactly what was said between General Grant and myself for a reason which will presently appear.

Within ten days after the receipt by Smith of the lieutenant-general's order relieving him from command, he wrote a letter [4] to Senator Foote, his coadjutor, in the attempt to get me relieved, who put it in such condition that it has been published. It is such a letter as no honorable, decent, well-disposed man could have written under any possible temptation. It contains calumnies upon myself as well as upon General Grant. Fortunately I am alive to contradict them.

Smith says in this letter that the last of June or the first of July, 1864, General Grant, accompanied by myself, came to his (Smith's) headquarters, and that the lieutenant-general, after having been there a while said to me: "General, that drink of whiskey I took has done me good," and then asked Smith to give him another, — intending it to be inferred that I gave Grant the whiskey. And knowing, as he says, that Grant drank too much, and not thinking that it would be polite to refuse him in my presence, he had a bottle opened for him, and gave him a glass of whiskey, without asking me to a glass or taking one himself. After Grant had taken a drink the bottle was corked up again and put away, — not the usual manner in which

[1] See Appendix No. 77.
[2] See Appendix No. 78.
[3] See Appendix No. 79.
[4] See Appendix No. 80.

hosts deal with liquor which their guests ask for. Smith goes on to say that after the lapse of an hour or less Grant asked for another drink which he took; that soon after he left, and Smith says he went out to see him upon his horse, — he doesn't say he helped him to mount. But he does say that as he returned to his tent he said to a staff officer of his: "General Grant has gone away drunk; General Butler has seen it, and will never fail to use the weapon which has been put into his hands."

Let us examine this story a little: The commanding general of the armies of the United States, and a particular personal friend of his subordinate general, calls upon the latter with his commander upon a visit of ceremony. This subordinate general, being asked for a drink when he claims to know that that is not good for his friend, gives it to him. When his friend calls for another he gets that and starts for home. Then his subordinate officer calls the attention of his aid to the fact that his superior officer is drunk, — although if Grant was drunk, there was no occasion to call attention to the fact, for it would be plainly visible, — and says that General Butler will use it as a weapon which has been put into his hands.

General Smith, who put it there? When was it heard before that a general in the army takes pains to disclose the condition of drunkenness to which he has brought the commanding general of the armies? If there was no relation but that of host and guest between them, how could an honorable man do that? A man judges another by himself, and Smith must have judged me by himself when he stated to his staff officer that I would use, as a weapon against his friend, the drunkenness which *he* had caused. That declaration shows that Smith had it in his mind that that was a potent weapon which might be used. Again, Smith's relations and mine, as we have seen, were more than strained. He was endeavoring to get out from under my command, after having insulted me. Why put a weapon in my hands to be used against him to prevent the accomplishment of his project? He explains our relations by saying that the next time he saw me with General Grant, a few days afterwards, he did not speak to me.

I have no reason as a man of sobriety to quarrel with the story of Smith as against my character in that regard. He doesn't offer me a drink, but corks up the bottle and puts it away so that I shall not

get one, and he doesn't offer me any the second time the bottle is brought out, thereby paying tribute to my temperance.

Now I know, and solemnly aver, that no such thing ever did happen or could have happened between the three of us. First, I was under no such relations at that time as to have been visiting Smith at his headquarters. I don't usually visit, until apology is made, any man, general or other, who has insulted me. I did meet him at Grant's headquarters about that time. The inference which Smith seeks to have drawn is that Grant got that first glass of whiskey, which he said did him good, from me or at my headquarters. But Smith knew, and all of the other officers under my command knew, that I drank no spirituous liquors in the field nor had any at my headquarters. Smith, reckless as he is, does not dare to say what he cowardly insinuates.

Again, he does not give any word or act of Grant that shows that he was drunk, but only says that his voice showed plainly that the liquor had affected him. That I can deny, because there never was any such happening as Smith relates. I never saw General Grant drink a glass of spirituous liquor in my life. I had heard of such slanders against him in his younger days, and I observed his conduct in that regard narrowly. I had seen him drink wine at the dinner table but nowhere else, and upon the question of his drinking or not drinking, or having drank or not having drank, no word ever passed between Grant and myself. I should never have dreamed of insulting General Grant by such an accusation. If I could have so far demeaned myself, I should have expected Grant to dismiss me from the service at once, as he ought to have done, and as I would have done to him under the same circumstances. Smith's letter shows that he is dastard enough to use such weapons.

The official orders and correspondence which I publish will show the state of facts. I had not suggested that he be relieved from the army for his misconduct, even after the insulting and garbled correspondence which he sent to Grant in an unmilitary manner. On the 21st of June he had asked that he be relieved from under my command. Grant had taken no official action in regard to this application. On the 2d of July Smith had asked for a leave of absence, pleading ill-health. That was granted for a period of ten days.

General Order No. 225 of the 7th of July relieved Smith from under my command, but the Tenth Corps and Kautz's cavalry division and the rest of the troops remained under my command. The headquarters of the department were continued, as they had always been, at Fortress Monroe. The effect of this was to relieve Smith and the troops under his command from being under my command. Therefore, at General Grant's suggestion, the President had taken him out of my command.

I was more than willing that Smith should go out from under my command. I would have given up a corps to get rid of him. As



HEADQUARTERS OF GEN. GODFREY WEITZEL BEFORE RICHMOND.

soon as this order was promulgated, as I have stated, and I received it, I called on General Grant on the 10th day of July, and I have already stated what passed between us, at which interview he said it did not suit him at all.

Smith says he called upon Grant on Sunday the 10th of July, and found me there but did not speak to me, and that after I had left he had a long confidential conversation with General Grant, after which he went to New York on leave of absence.

The record shows that at thirty minutes past one o'clock P. M. on that Sunday after Smith had gone, Grant suspended the operation

of the order of July 7, and directed that the Eighteenth Army Corps should remain under my command, and that another army corps, the Nineteenth, should be added to my department.

I heard nothing more of Smith and thought nothing more about him or his purposes, and did not again see General Grant on this subject.

Again Smith, in his letter, says: —

> On my return from a short leave of absence on the 19th of July, General Grant sent for me to report to him, and then told me that he "could not relieve General Butler," and that as I had so severely criticised General Meade he had determined to relieve me from the command of the Eighteenth Corps and order me to New York City to await orders. The next morning the General gave some other reason, such as an article in the *Tribune* reflecting on General Hancock, which I had nothing in the world to do with.

The *Tribune* article stated that Hancock did not come up until midnight after the negro troops had captured the works around Petersburg, and that after his arrival he refused the use of his troops to co-operate with Smith, — thus throwing the blame for not taking that city upon Hancock.

Smith says that he knew nothing about the article in which Hancock was slandered in the New York *Tribune*, but he doesn't say that he told Grant so, because he says that General Grant assigned his connection with that letter as a reason for his removal. And why? Before the 2d of July a complaint was made by General Hancock of this article, asking that the author, who was a reporter at the headquarters of the Eighteenth Corps, might be dealt with. On the 2d of July Grant sent me the following order: —

> Major-General Butler: City Point, July 2, 1864, 11 o'clock A. M.
>
> A correspondent, Mr. ——, understood to be with your command, has published in the N. Y. *Tribune* of 27th an article false and slanderous upon a portion of the army now in the field. You will please direct his arrest and have him sent here.
>
> U. S. Grant.

General Grant obtained an interview with Mr. ——, and upon an examination sent him from the army, being satisfied that he wrote the article with the knowledge of Smith, and knowing that when Hancock came up he made the generous offer to surrender his com-

mand to Smith for that part of the work, because Smith knew the ground upon which the operations were to be performed.

Now, if anything has been proven it is that Hancock arrived early in the evening and offered to co-operate with Smith in every way, even to giving up the command of the movement of his corps to Smith. Smith knew that he had knowledge of the article, and knew that Grant had ascertained that fact, and yet he denied it, and he knew that Grant relieved him, not for his insubordination, or any other thing done during his absence on leave, but for having participated in publishing a libel upon his brother superior officer, before that, and for denying the truth about it. No one, upon reading the article, which comprises nearly seven columns of closely printed matter in the *Tribune*, can doubt that Grant was right.

To remove from the memory of General Grant all obloquies in the letter of Smith, I ought in justice to say a few more words before I dismiss him, I trust, forever.

Because of the very decided contradiction of Smith's statements I have above given, it is due that I show by facts that his official statements, even, in any matter, are not reliable. I have already touched upon the mendacity of his report to me at midnight of the 15th of June that "General Hancock had not then come up," and called attention to the statements of Lieutenant Davenport, my staff officer, directly and fully contradicting him.

I also call attention to the letter of General Hinks which likewise contradicts him in that point: —

> The Second Corps was on the march towards Petersburg on the 15th, arriving within a mile of that portion of the works already captured by my division at about sunset, and about ten o'clock at night moved into these works, *General Smith being then upon the ground; and by his orders* my division was withdrawn to the rear some seventy-five or one hundred yards.

Again I call attention to what has passed into history relative to the hour of Smith's attack and Hancock's arrival.

Capt. Gordon McCabe, at the head of Pegram's Battery, of the Army of Northern Virginia, in an address delivered before the Association of the Army of Northern Virginia,[1] says: —

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[1] Vol. II., Southern Historical Society Papers, Nov. 1, 1876, p. 257.

Smith's attack was made at 7.30 P. M. and scarcely had the assault ended when Hancock came up.

Gen. Francis A. Walker, chief of staff of General Hancock, says : —[1]

The head of General Hancock's column was now, say 6.30 P. M., at the Bryant House, about a mile in the rear of Hinks' position (see map) and left instructions for Birney and Gibbon to move forward as soon as they could ascertain where they were needed. General Hancock rode to General Smith, and informed him that two of his divisions were close at hand ready for any movement which in his judgment should be made, General Smith informing him that the enemy had been reinforced during the evening, and requesting him to relieve his troops (Smith's) in the front line of the captured works. This relief was completed by 11 o'clock.

Horace Greeley says,[2] after stating the fact of the attack by Smith, and his success : —

Fatalities multiplied. Hancock, with two divisions forming the van of the Army of the Potomac, came up just after nightfall, and, waiving his seniority, tendered his force to Smith to put part of it into the captured works relieving his own troops, but made no further use of it.

Smith in his official report,[3] says : —

. . . We had thus broken through the strong line of rebel works, but heavy darkness was upon us,[4] and as I heard some hours before that Lee's army was rapidly crossing at Drury's Bluff,[5] I deemed it was wiser to hold what we had than by attempting to reach the bridges to lose what we had gained, and have the troops meet with a disaster. I knew also that some portion of the Army of the Potomac was coming to aid

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[1] History of the Second Army Corps, p. 531.

[2] The American Conflict, p. 585.

[3] Dated August 9, 1864.

[4] This must have been at about quarter of eight o'clock, for the reason that Smith in his report of the 16th of June, states that he made his attack at seven, and that in about twenty minutes the works at Jordan's House and on its left were carried by the divisions of Generals Brooks and Hinks ; that he then ordered the colored troops to carry some heavy profile works in the rear of the line captured, which was gallantly done, and at the same time General Martindale had advanced and carried the enemy's works toward Jordan's House and the Appomattox,—where as a matter of fact, as General Beauregard says, that part of the enemy's lines was undefended.

[5] Troops at Drury's Bluff, the railroad being cut, could not have got to where Smith was in twenty-six hours. Who could have told him that Lee's army was crossing at Drury's Bluff? The truth was that none of Lee's army got to Petersburg until the morning of the 18th of June.

Vide Military Operations of General Beauregard, Vol. II., p. 236.

us, and therefore the troops were placed so as to occupy the commanding positions and wait for daylight.[1] The Second Corps began to come in after midnight and relieved my extended lines, and our gallant men rested after a toilsome day.

If Lee was coming, the sooner Smith could get the Appomattox between himself and Lee the better. Why wait? In fact, the troops of Lee did not get into Petersburg until the morning of the 18th. Kershaw's division of Anderson's Corps, the first of General Lee's force that arrived at Petersburg, only reached that place on the morning of the 18th of June, as is established by the following telegram: —

HEADQUARTERS, PETERSBURG, June 18, 1864, 11.30 A. M.

GEN. BRAXTON BRAGG, RICHMOND, VA.:

Occupied last night my new lines without impediment. Kershaw's division arrived about 7.30 and Field's at about 9.30 o'clock. They are being placed in position. All apparently quiet this morning. General Lee has just arrived.

G. T. BEAUREGARD,

*Major-General.*[2]

Mr. Greeley further says: —

And now, though the night was clear and the moon nearly full, Smith rested until morning, after the old but not good fashion of 1861–1862.

Quoting further from Captain McCabe: —[3]

The prize was now within his [Smith's] grasp, had he boldly advanced, and the moon, shining brightly, favored such enterprise. But Smith, it would seem, although possessed of considerable professional skill, was not endowed with that intuitive sagacity which swiftly discerned the chances of the moment, and thus halting at that threshold of decisive victory contented himself with partial success, and having relieved his division in the captured works with Hancock's troops, waited for the morning.

Frank Wilkeson, of the Eleventh New York Battery (Hancock's), says: —[4]

That night was made to fight on. A bright and almost full moon shone above us.

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[1] The sun rose at 4.28 the next morning; daylight would have come to Smith at four certainly.

[2] Military Operations of General Beauregard, Vol. II., p. 236

[3] Southern Historical Society Papers, Vol. II., No 6, p 268.

[4] Recollections of a Private Soldier in the Army of the Potomac, p 161

General Grant says in his official report of the operations of his army : —[1]

With a part of his men only he made an assault and carried the lines northeast of Petersburg from the Appomattox River, for a distance of over two and one half miles, captured fifteen pieces of artillery and three hundred prisoners. This was about 7 P. M. *Between the line thus captured and Petersburg, there were no other works, and there was no evidence that the enemy had reinforced Petersburg with a single brigade* from any source. The night was clear, the moon shining brightly, and favorable to further operations.

Hancock, with two divisions of the Second Corps, reached General Smith *just after dark*, and offered the services of his troops as he (Smith) might wish, waiving rank to the commander whom he actually supposed, having passed the position of the enemy's force, knew what to do with the troops. But instead of taking these troops and pushing at once into Petersburg, he requested General Hancock to relieve a part of his line in the captured works, which was done before midnight.

When was the heavy darkness that Smith says in his report prevented his going on?

At the time of Smith's arrival Beauregard had under his command at Petersburg twenty-two hundred effective men. The line was seven and one half miles long, and these troops occupied three miles of it, leaving four and one half miles undefended. On the Bermuda Hundred front was Jackson's division less Ransom's and Gracie's brigades, giving him thirty-two hundred men there, or a total force of fifty-four hundred on that front and in Petersburg. Hoke's division was ordered to him at 11.30 A.M., on the 15th, and Hagood's brigade thereof reached Petersburg just after Smith's fight at seven o'clock and the capture of the batteries. They were followed by two other brigades within a few hours. At 10.20 P. M. of the 15th, General Beauregard ordered the abandonment of the Bermuda Hundred lines, and the removal of that portion of Johnson's division to Petersburg. Johnson evacuated the Bermuda Hundred line at dawn on the 16th, and arrived in Petersburg at 10 A. M. Thus reinforced, Beauregard had an effective force in Petersburg of ten thousand men. On the 16th and on the 17th after dusk Gracie's brigade arrived, twelve hundred strong.[2]

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[1] War Records, Vol. 36, Part I., p. 25.

[2] Military Operations of General Beauregard, pp. 229–232.

In planning Smith's movement, the fact that the troops in our front might be sent to reinforce Petersburg was taken into account, as, if they all got there, we should still be four to one of the enemy. And when Beauregard had ten thousand men there on the 17th and 18th, Grant's corps of fifty-five thousand men were attacking the new line built during Smith's delay, and they failed to carry the new works even with the great superiority of numbers.

A great misfortune and fault of the Army of the Potomac which enabled the rebels to defend themselves successfully was that the men of the Army of the Potomac were put in to attack intrenched lines, and that they substantially would not do. They had been for six weeks led to abortive attacks accompanied with great slaughter and no success,[1] and their great desire was to have Lee attack them when they were behind defensive works, as they would have been if Lee's men had been stopped, by holding the enemy's line of works at the Appomattox bridges as Smith had been ordered to do.

Of this opinion was General Hancock. By the order of General Meade he attacked the enemy's new line at 6.30 P. M. on the 16th and fought all night (so that it seems the moonlight was sufficient for him to fight), and reported to General Meade the reason of his repulse as follows: —

> I do not think the loss heavy but in officers. I do not think the men attacked with persistence; they appeared to be wearied.

General Meade, in a despatch to General Grant at 6 A. M. of the 17th, describing the attack of the 16th, says: —

> Advantage was taken of the fine moonlight to press the enemy all night. A rough return would make our loss two thousand killed and wounded. I regret to say that many officers are among the numbers. Our men are tired and the attack could not be made with the vigor and force which characterized our fighting in the Wilderness. If they had not been, I think they might have been more successful.

The men were tired and weary of assaulting works, of being led to assault intrenchments; not tired and weary in the sense of physical fatigue. Most of them had rested quietly during the night of the 15th, and the day of the 16th before they were led to the attack

[1] Appendix No. 81.

without having any distance to march. What the weariness of the tired men was, and of what they were tired, and their joy in knowing that they were marching to have some works to defend, cannot be better stated than by one of their number, then a private soldier, Frank Wilkeson of the Eleventh New York Battery, who for his gallantry and good conduct was soon after appointed a lieutenant in the regular artillery. He says :—[1]

On the night of June 14, 1864, the battery to which I belonged went into park close to the James River, but not within sight of it.

. . . . . .

On the morning of June 15th we moved close to the James River and parked. I was lying under a tree near an old abandoned house. Below me and a little to my left, a pontoon bridge stretched across the muddy waters of the river James. A few steamboats were paddling to and fro, some ferrying troops across the river, others apparently doing nothing. The Second Corps troops were rapidly marching across the pontoon bridge, which swayed up and down under their heavy tread. On the other side was a village of tents and great piles of boxes. Many men were swimming in the river. . . .

Infantry hurried past us; batteries of artillery rolled by. We recognized some of the latter, and said: "There goes K of the Fourth United States Artillery;" and we waved our hands to the men whom we knew. There was a gap in the column of hurrying troops. Our captain swung himself into his saddle and commanded: "By piece from the right front into column, march!" and we were off for Petersburg. We crossed on the pontoon bridge, which had a peculiar earthquaky motion, and entered the village of tents. Thousand of boxes of hard bread and barrels of pork were there, but instead of being open and we helping ourselves as we marched, the troops were halted, and jammed, and irritated, by having to stand around with open haversacks, while a comparatively few commissary employees slowly dealt out the precious provisions to us. Hours were worth millions of dollars each on this flank movement. They were really priceless, and we dawdled away three of them in getting a little food into our haversacks. This was Potomac Army economy. The Second Corps, if the boxes of hard bread, and barrels of pork, and coffee, and sugar had lined the road, and we enlisted men had helped ourselves, might have carried off twenty thousand dollars worth of extra provisions; but we would have saved three hours, and they, if properly used, would have been worth one hundred million dollars each, and would have saved

[1] Recollections of a Private Soldier, p. 153.

thousands of men's lives also. But we fooled away the time; we stood and chaffed one another; and the cannon in our front roared and the musketry rolled. Then we marched. We were in high spirits. We marched free. Every enlisted man in the Second Corps knew that we had outmarched the Confederates. We knew that some of our troops were assaulting the Confederate works at Petersburg. The booming of the cannon cheered us. We were tired, hungry, worn with six weeks of continuous and bloody fighting and severe marching; but now that we, the enlisted men of the Second Corps, knew that at last a flank movement had been successful, we wanted to push on and get into the fight and capture Petersburg. We knew that we had outmarched Lee's veterans, and that our reward was at hand. The Second Corps was in fine mettle. On all sides I heard men assert that Petersburg and Richmond were ours; that the war would virtually be ended in less than twenty-four hours.

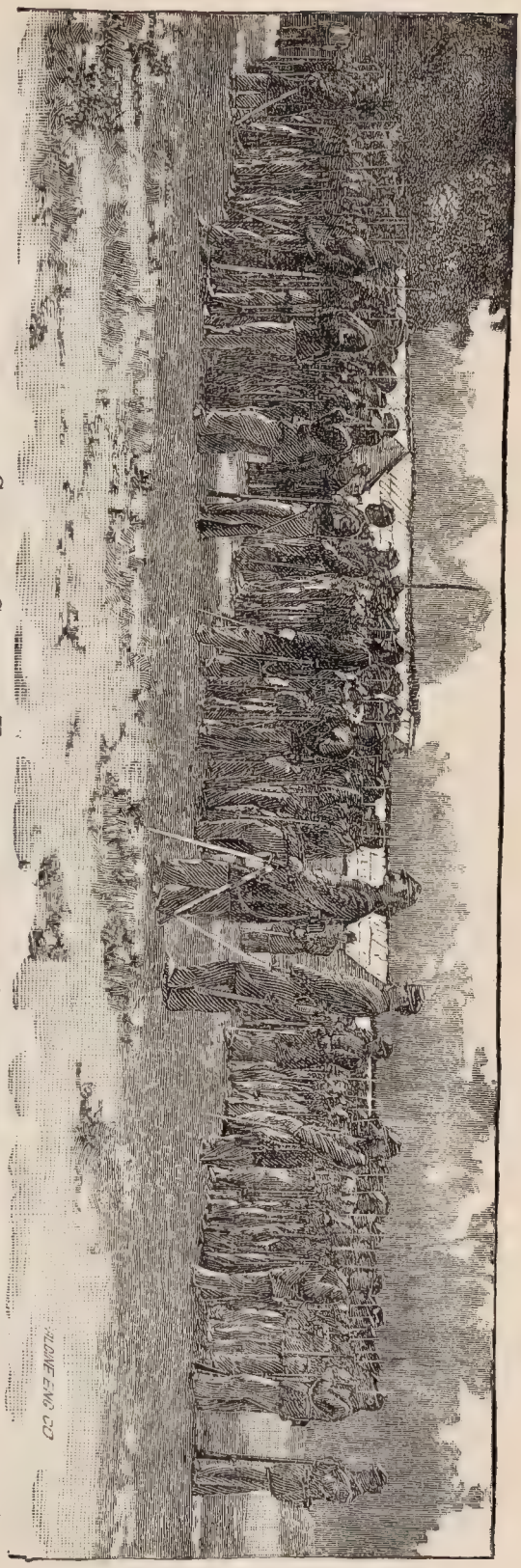
Night came. The almost full moon arose above the woods, and gold-flecked the dust column which rose above us. We had heard heavy firing about sundown, and judged that we should be drawing near the battle-line. We entered a pine woods, and there we met a mob of black troops, who were hauling some brass guns. They had attached long ropes to the limbers, and, with many shouts, were dragging them down the road. Some of them bore flaming torches of pine knots in their hands. They sang, they shouted, they danced weirdly, as though they were again in Congo villages making medicine. They were happy, dirty, savagely excited, but they were not soldiers. As we, the Second Corps, met these victorious troops, the eager infantrymen asked: "Where did you get those guns?" They replied: "We 'uns captured them from the rebels to-day." "Bah!" an infantry sergeant, who was marching by my side, exclaimed; "you negroes captured nothing from Lee's men. The city is ours. There is not a brigade of the Army of Northern Virginia ahead of us." And we all exclaimed: "The city is ours! We have outmarched them!" And we strode on through the dense dust clouds, with parched throats, foot-sore and weary. Not a grumble did I hear. But with set jaws we toiled on, intent on capturing Petersburg before the Army of Northern Virginia got behind the works. It was: "March, march, march! No straggling now. It is far better to march to-night than to assault earthworks defended by Lee's men to-morrow. Hurry along! hurry, hurry, hurry!" And we marched our best. We passed a group of soldiers who wore the distinctive badge of the Second Corps, cooking by the roadside, their muskets stacked by their fire. We asked how far it was to the battle-line. "Only a few hundred yards," they replied. Then we asked what Confederate troops were ahead of us. They answered, with a scornful laugh:

"Petersburg militia." We asked what Union troops were engaged, and they replied: "Some of Butler's men." With the dislike all soldiers have for unknown troops, we said heartily: "Damn Butler's men! We do not know them. We wish the Fifth or Sixth Corps were here instead of them." Many soldiers anxiously inquired: "Will Butler's men fight?" Then some private, who was better informed than the most of us, told us that Butler's men had been lying at Bermuda Hundred, and that there were many negro troops among them. The noses of the Second Corps men were cocked sharply in the air at this information.

Word was passed among us that the negro troops had had famous success that day; that they had wrested a heavy line of earthworks from the Confederates, and had captured eighteen guns. The soldiers halted for an instant. They examined their rifles, and shifted their cartridge-boxes to a position where they could get at them easily, and they drank deeply from their canteens. Then belts were tightened, blanket rolls shifted, the last bits of hardtack the men had been chewing were swallowed, and their mouths again filled with water and rinsed out, and then, throughout the ranks, murmurs arose of: "Now for it;" "Put us into it, Hancock, my boy; we will end this damned Rebellion to-night!" and we laughed lowly, and our hearts beat high. Soon we heard commands given to the infantry, and they marched off. My battery moved forward, twisted obliquely in and out among the stumps, and then the guns swung into battery on a cleared space.

And then — and then — we went to cooking. That night was made to fight on. A bright and almost full moon shone above us. The Confederate earthworks were in plain view before us, earthworks which we knew were bare of soldiers. There was a noisy fire from the Confederate pickets in front of us. So unnerved and frightened were they that their bullets sang high above us. We cooked and ate, and fooled the time away. This when every intelligent enlisted man in the Second Corps knew that not many miles away the columns of the Army of Northern Virginia were marching furiously to save Petersburg and Richmond and the Confederacy. We could almost see those veteran troops, lean, squalid, hungry, and battle-torn, with set jaws and anxious-looking eyes, striding rapidly through the dust, pouring over bridges, crowding through the streets of villages, and ever hurrying on to face us. And we knew that once they got behind the earthworks in our front, we could not drive them out. They did not surrender cannon and intrenchments to disorderly gangs of armed negroes. They did not understand how troops could lose earthworks when assailed by equal numbers of soldiers. Still we cooked and ate, and sat idly looking into one another's eyes, questioningly at first,

then impatiently and then angrily. Gradually the fact that we were not to fight that night impressed itself on us. I walked over to the limber of my gun, opened my knapsack, and took out a campaign map and a pair of compasses. Returning to the fire the map was spread on the ground. As I measured the distances a group of excited soldiers gathered around and watched the work. We had the less distance to march, about nine hours the start, and allowing for the time lost at the crossing of the James River we were at 11 P. M. four or five hours ahead of the Army of Northern Virginia. "Will they be in the works by morning, men?" I asked; and all answered, "By God, they will!" Discouraged, I put away the map, loaded a pipe, lighted it, and strolled off down the line, stopping at almost every fire I came to to talk to the infantry soldiers. The rage of the intelligent enlisted men was devlish. The most blood-curdling blasphemy I ever listened to I heard that night, uttered by the men who knew they were to be sacrificed on the morrow. The whole corps was furiously excited. I returned to my battery a little after midnight. Seated on the ground I rested my back against one of the ponderous wheels of my gun. Resting there I slept.



CAMP OF COLORED VOLUNTEERS BEFORE RICHMOND.

At early dawn I was awake and tried to examine the Confederate line. I noticed that the noisy, wasteful picket-firing of the night before had ceased; that the main line of earthworks, indistinctly seen in the gray light, was silent. Some of our infantry came into our slight earthwork, and we stood gazing into the indistinctness before us. All of us were greatly depressed.

It grew lighter and lighter, and there before us, fully revealed, was a long, high line of intrenchments, with heavy redoubts, where cannon were massed at the angles, silent, grim. No wasteful fire shot forth from that line. Now and then a man rose up out of the Confederate rifle-pits, and a rifle-ball flew close above us, no longer singing high in the air. Sadly we looked at one another. We knew that the men who had fought us in the Wilderness, at Spottsylvania, North Anna, and Cold Harbor were in the works, sleeping, gaining strength to repulse our assault, while their pickets watched for them.

At intervals tiny columns of smoke rose from behind their line. . . . It was broad daylight. I had eaten my breakfast and was looking over the field of yesterday's fighting. Some dead men lay on the ground; but the scarcity of those in gray plainly showed that they had no stomach for fighting, that they were raw, undisciplined militia, who had abandoned their powerful line of earthworks when attacked by a few black troops. At sixty feet in front of the captured works I saw pine trees which had been struck with Confederate bullets thirty feet from the ground. This told, better than words, the nervous condition of the men who pretended to defend the line.

Wandering toward the rear, I came on the line of rifle-pits which had been used by the Confederate pickets, and saw two dead men lying close together. I walked over to them. One was a burly negro sergeant, as black as coal, in blue; the other was a Confederate line sergeant, in gray. Their bayoneted rifles lay beside them. Curious at the nearness of the bodies, I turned them over and looked carefully at them. They had met with unloaded rifles and had fought a duel with their bayonets, each stabbing the other to death.

The battery bugler blew "Boots and Saddles!" and I hastened back to my gun, to hear that the other corps of the Potomac Army had arrived and that the infantry would make a general assault that day, probably in the afternoon. We limbered up, then marched to the left and took a new position on a bit of level land which gradually sloped toward a creek which flowed between us and the silent Confederate line. The preliminary artillery practice began, so as to announce in thunder tones that we were getting ready to make an assault. I worked listlessly to

and fro from the muzzle of my three-inch gun, carelessly looking ahead to see if the fire produced any result. It did not. The gunners of the Confederate batteries were evidently husbanding their ammunition. They treated us with silent contempt. But, unable to withstand our steady hammering, they at last coldly responded to our attentions. Shot skipped by us, shell exploded among us; but, with very unusual luck, we lost but few men. . . .

The afternoon passed quickly away. One of the caissons, which belonged to a battery that was in action alongside of us, struck by a shell, blew up, and two men were blown up with it. A long bolt made by our English brothers did this work, and it added to my dislike of all things English. As the sun sank the infantry prepared to deliver the assault that we had been announcing as to be made. A staff officer rode up; we ceased firing. The smoke drifted off of the field. Utterly exhausted, I threw myself on the hot ground and watched the doomed men who were to try to carry the Confederate line. The charging cheer rang out loudly, the line of blue-clad soldiers rushed forward, the Confederate pickets emptied their rifles, jumped from their rifle-pits, and ran for their main line, which was still silent excepting the artillery. This was served rapidly but not very effectively. The line of blue swept on in good order, cheering loudly and continuously. They drew near to the Confederate earthworks. Canister cut gaps in the ranks. Then the heads of Lee's infantry rose above their intrenchments. I saw the glint of the sun on their polished rifle barrels. A cloud of smoke curled along the works. Our men began to tumble in large numbers; some fell forward, others backward, others staggered a few steps and then sank down as though to rest. Still I did not hear the roll of the musketry. Suddenly it burst on me, mingled with the fierce Confederate battle-cry. The field grew hazy with smoke. Rifles were tossed high in the air. Battle-flags went down with a sweep to again appear and plunge into the smoke. Wounded men straggled out of the battle. Fresh troops hurried by the battery and disappeared in the hazy smoke. Away off to our right I heard the charging cheer of our soldiers and the thunderous roll of musketry; to the left more musketry and exultant howls, as though we had met with success. In our front the fire grew steadily fiercer and fiercer. The wounded men, who drifted through the battery, told us that the works were very strong, and that beyond them there was another and still stronger line, and that our troops were fighting in the open before the front line and were not meeting with any success. Night settled down, and the fight still went on; but it fagged. The musketry was no longer a steady roar, and we could see the flashes of the rifles, and the Confederate parapet glowing redly. At

points the musketry fire broke out fiercely, then died down. In our front the fight was over. My battery moved forward under the direction of a staff officer, and we threw up an earthwork.

That night the news gatherers walked the battle lines. They told us that the assault had been bloodily repulsed, excepting at one or two unimportant points. And they also brought an exceedingly interesting bit of news or gossip, or a camp rumor. They said: "We have heard from some of Butler's men that in the breast pocket of the coat of a Confederate officer, who was killed in front of their lines at Bermuda Hundred, on June 15, was found the 'morning report' of the Confederate army which was defending Petersburg on that day, and that this report showed that Beauregard did not have over ten thousand men, most of whom were militia, with which to defend Petersburg, and that Butler had laid this report before Baldy Smith and Hancock, and had urged them to make the assault and capture Petersburg before the Army of Northern Virginia came up; but that they, Smith and Hancock, had hesitated and dawdled the night away." . . .

About seventy thousand of the good men we had crossed the Rapidan with lay dead behind us, or were in hospitals, or languished in Confederate military prisons. So I, one morning, claimed my discharge, which had been ordered by Secretary of War Stanton while we were fighting in front of Cold Harbor. Getting it, I went to Washington, where a commission in the Fourth United States Artillery awaited me.

The reader will now see why the whole Army of the Potomac was repulsed on the nights of the 17th and 18th of June, with plenty of moonlight to fight in, with a loss of prisoners captured, and two thousand killed and wounded. This was the last attempt of the Army of the Potomac to capture Petersburg for many months, save by a mine and a siege, both of which were ineffectual to that end.

Having exhibited General Smith's entire untruthfulness in his statements that I have brought to the reader's attention, I turn to the further statements contained in the letter to Senator Foote which has already been referred to, that I had threatened Grant, as he had been informed, with opposing the election of Lincoln: —

I also learned that General Butler had threatened to make public something that would prevent the President's re-election.

Smith did not know that I had been offered by the President the second place on his ticket, and had declined it with my promise to give him my fullest support, which I ever after did do.

He also says: —

> General Butler had made some threat, with reference to the Chicago Convention, which he (Butler) said he had in his breeches pocket.

That is simply a falsifier's rank nonsense. Lincoln had been nominated almost by acclamation more than a month before. What could I do with the Chicago Convention where the southern majority of delegates and their Copperhead allies hated me with more virulence and vigor than they did any other man in the United States, and where I should have expected to be murdered had I appeared. That convention was held on the 29th of the following August.

Smith also says: —

> Since I have been in New York I have heard from two different sources (one being from General Grant's headquarters, and one from a staff-officer of a general on intimate official relations with General Butler) that General Butler went to General Grant and threatened to expose his intoxication if the order was not revoked.

Let him produce his informants, or let him stand only upon his own uncontradicted word. I challenge the result in either case.

I also call attention to the most wonderfully revengeful postscript of this letter: —

> I have not referred to the state of things existing at headquarters when I left, and to the fact that General Grant was then in the habit of getting liquor *in a surreptitious manner*, because it was not relevant to my case, but if you think that at any time the matter may be of importance to the country, I will give it to you.

Got liquor surreptitiously? The lieutenant-general could have commanded all the whiskey of the United States to his army if he thought proper, and it would have come. If he had let it be known that he would use it, his admiring friends all over the North and West would have sent him the choicest brands in the most boundless profusion. A man that would write such a postcript as that, it is hard to describe.

Let us examine a moment to see what kind of a creature this Smith is. Appointed a brigadier and promoted a major-general by the influence of his intimate friend, McClellan, *when, as we have seen, he was seeking to be dictator*, "for some service unexpressed, yet by its wages only to be guessed," he was rejected by the Senate. In 1863, for his conduct in battle, he was relieved from his command by General Burnside, then in command of the Army of the Potomac, and went to the Southern army. He ingratiated himself with Grant by his topographical performances in matters which resulted



HEADQUARTERS OF GEN. ALFRED TERRY BEFORE RICHMOND.

in the difficulty between Generals Thomas and Grant, which lasted until after the battle of Nashville, in September, 1864. Grant, in September, 1863, again recommended Smith's promotion to the President, but his name was not sent in till March, 1864. After Grant was put in command as general-in-chief in the spring of 1864, he once more took him up and had him again appointed major-general. The Senate delayed confirming his appointment, but Grant, by his great influence, procured his confirmation. He detailed him in command of a corps under myself, and sustained

Smith in all his insubordinations, taking him with his corps of more than twenty-thousand men to Cold Harbor where Smith lost nearly a quarter of the troops, for which he criticised Grant, as he confesses. This detail Grant afterwards over and over regretted.[1]

Then in the latter part of June he says Grant called at his headquarters. Knowing Grant's infirmity, he claims he gave him liquor sufficient to make him "drunk," and then went "out to see him on his horse," but called the attention of his staff officer as a witness to the condition of the general-in-chief of the army, saying of his confiding and ever-supporting friend that he would take it as a weapon to use against him, and which Smith himself afterwards did use. Then he got leave of absence, meantime writing to Washington to his coadjutor, Senator Foote, to have himself put in command of the Eighteenth Corps, independent of me, by his influence through his friend Senator Foote with Halleck.[2]

Before the 2d of July Grant learned that Smith had, in addition to his abuse of Meade, whose command of the Army of the Potomac he sought from Grant, induced a *Tribune* correspondent to publish a libel upon Hancock. Grant gave me an order to arrest the correspondent, and send him to him. Thereupon Grant caused the order in favor of Smith to be suspended, and had a confidential conversation with him on his return from his leave on the 18th, and then told him he could not relieve me, and sent Smith to New York, virtually dismissing him from the army. Being so dismissed, in ten days he wrote this most infamous and astounding letter, in which he recites to Foote his own base betrayal of his friend and commander, and his misconduct toward him as his guest, and offers to furnish Foote with further evidence by which to defame and vilify Grant, the commander of the whole armies of the United States, on whose skill and conduct the safety of the country depended, — showing that he could be true to no friend. After his friend McClellan, — the only other one we hear that Smith ever had, — was sent forever to private

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[1] In the February number (1886) of the *Century Magazine*, page 576, is a paper written by General Grant, in which he says: —

"General W. F. Smith, who had been promoted to the rank of major-general shortly after the battle of Chattanooga, on my recommendation, had not yet been confirmed. I found a decided prejudice against his confirmation by a majority of the Senate, but I insisted that his services had been such that he should be rewarded. My wishes were now reluctantly complied with, and I assigned him to the command of one of the corps under General Butler. I was not long in finding out that the objections to Smith's promotion were well founded."

[2] See Appendix No. 82.

life by Lincoln in November, 1864, Smith turned upon him. In December he wrote a letter to this same Foote to be shown to Lincoln, as was done, and the letter left with him disclosing to him the fact that McClellan had written a protest against the President's Proclamation of Emancipation, and had consulted with Smith on the question of its publication, thus betraying both his friends, — violating every duty in every relation with every general commanding, defaming, and attacking his best friends who supported him, — violating every instinct of a gentleman or a man of honor by disclosing acts which he, as a host, calls his guests to commit, calling his staff officer as a witness to the weapon he has obtained against Grant, — and in the postscript of his letter offering to procure for Foote other evidence to destroy the character and influence of Grant, and to disclose their confidential secrets. He devotes his after life to telling these tales of his own disgraceful perfidy in the magazines of his country published after Grant's death.

Does not Smith show himself to be, though of human form, only an animal of the lowest class, found nowhere but in America, the generic name of the whole species being "MEPHITIS AMERICANA"?



## CHAPTER XVI.

### CAPTURE OF FORTIFICATIONS AROUND RICHMOND, NEWMARKET HEIGHTS, DUTCH GAP CANAL, ELECTIONS IN NEW YORK AND GOLD CONSPIRACY.

IN August we had a small holding on the north side of the James River at a point known as Deep Bottom. General Grant wanted to get north of the James still further up so that if it became convenient or necessary the united armies of the Potomac and the James,— leaving enough men in the trenches before Petersburg to hold our position there, and in our front, to hold the position of the Army of the James at Bermuda Hundred,— could be thrown across the river by pontoon bridges, and make a full attack upon the city of Richmond. To be able to get there before Lee, he relied upon the fact that we had much the shorter line, as will be seen by the map. Although Lee had a railroad, yet it was in such meagre equipment and repair that only a few troops could be transported over it rapidly to the south side of Richmond, Drury's bluff; and Grant proposed that his movement should be made on the north side of Richmond against the fortifications at Chaffin's farm.

To extend his lines on the north side he detailed, on the 13th of August, Hancock with the Second Corps, to be transported from City Point by the river to Deep Bottom. At the same time I ordered General Birney to go with the Tenth Corps across from Bermuda Hundred and join Hancock in an attack upon the enemy in that quarter. The plan was that they should carry the enemy's fortifications,— the left of which, substantially, was Fort Wilkinson,— at a point known as Newmarket Heights, where there was a strong redoubt enclosed by a double line of abatis, and defended with artillery.[1]

[1] See Appendix No. 83.

That attack was to be made at daybreak by both corps. Grant put Hancock's corps on board transportation to go around by river, because he supposed that by marching to the river from City Point and embarking, their destination would be concealed and the surprise be more effectual.

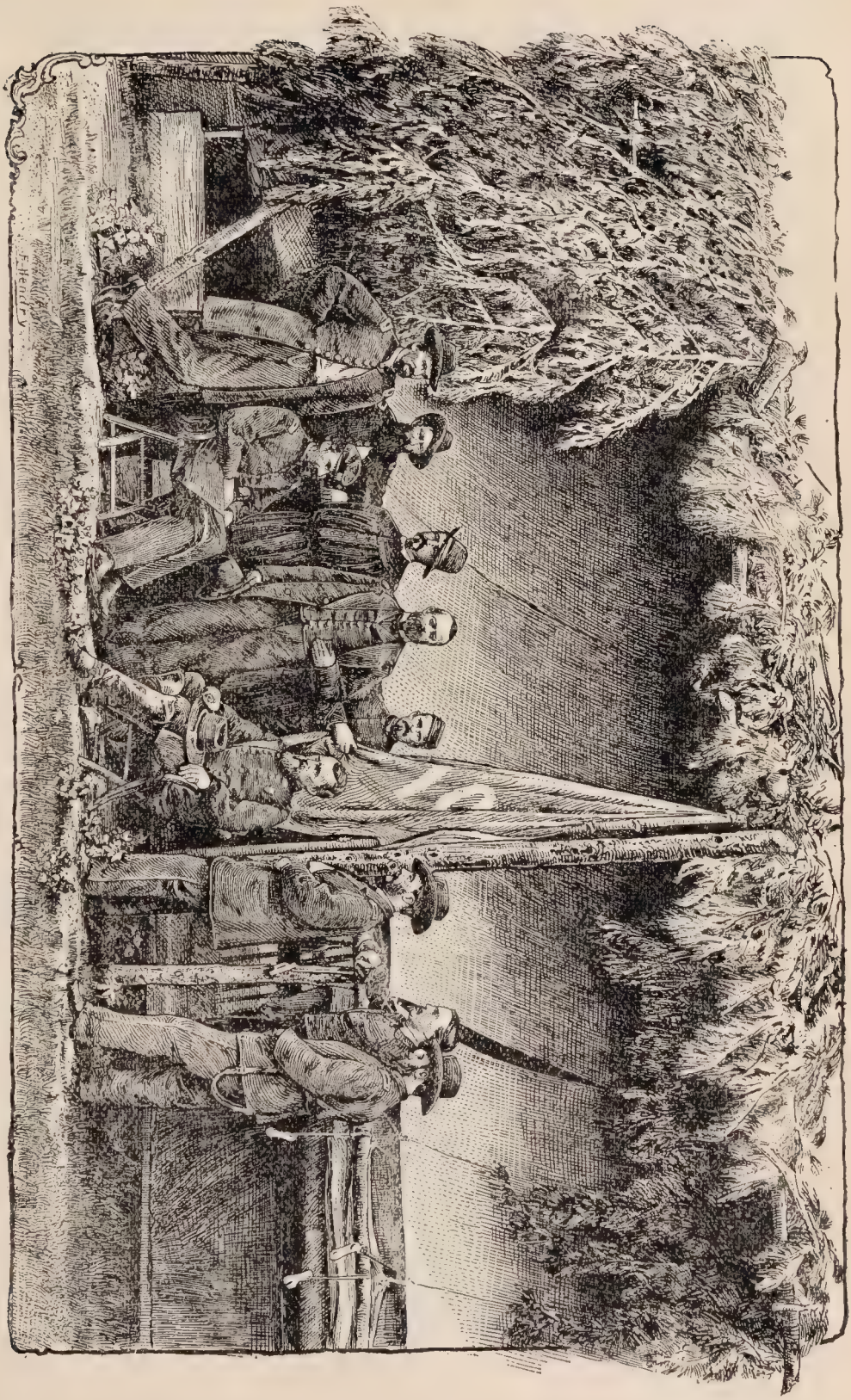
The expedition was very well planned, but for a reason that was inherent in the movements of the Army of the Potomac, it was not well executed in point of time. I had Birney's corps ready to cross the pontoon bridge at Deep Bottom at midnight, and as he held the right of my line, and any movement of his troops upon our side of the river would be very likely to attract attention, he waited for the Second Corps. As I was to have nothing to do with the matter except to give orders to Birney to move, I remained quietly at my headquarters.

The first of the vessels containing Hancock's troops, as I was informed, reached Deep Bottom between nine and ten o'clock in the morning. Imagine my surprise at about eleven o'clock when General Hancock with his staff,— who preferred to ride from the lines before Petersburg across my pontoon bridge at Point of Rocks, and then passing over the peninsula of Bermuda Hundred, cross at Deep Bottom on the pontoon bridge there,— rode up to my headquarters. I greeted him with great cordiality, which was the state of our intercourse until the day of his death, and as we were chatting, and he seemed in no hurry, I invited him to take an early lunch with me, which, after New England fashion, was at twelve o'clock. He did so, and between twelve and one left for a ride of about seven miles to the bridge at Deep Bottom.

The attack was made quite late in the day, and was not successful. It was renewed the next day, and was in part successful, a minor fortification and four guns being captured. Then, deeming the position of the enemy to be too strong to be taken, Hancock withdrew his troops back to the lines at Petersburg, and Birney came home.[1]

The enemy having repulsed the two corps of our army, I supposed would become careless, not thinking the attack would be renewed.

[2] About the 25th of July General Grant had made a formal demonstration with Hancock's Second Corps and Birney's Corps from Bermuda Hundred across the James River by the pontoon bridge at Deep Bottom, which, for reasons that need not be discussed, was not successful, and he renewed the attempt on the 13th of August, as has been hereinbefore described.



GEN. BIRNEY, COMMANDING TENTH CORPS, ARMY OF THE JAMES, AND STAFF. (From a Photograph.)

With a view of finding out exactly how matters stood with them in that part of their lines, I caused my scouts and secret service men to make a most thorough investigation. As I have stated, I had an exceedingly accurate map, drawn by the rebels themselves, of all their fortifications, and I instructed my secret service men to find out exactly how many men were holding each fortification, including the works at Chaffin's farm and Fort Harrison, and the connecting lines of forts between them. I got such reports that upon reinvestigation I was satisfied they were correct. This took some time, but about the 20th of September I went to General Grant and explained to him my preparation, and asked his leave to make an attack in that quarter with such men as I could spare from the Army of the James. I felt satisfied that I could leave comparatively few men in my intrenchments, for while I was attacking Richmond on one side of the James I was quite sure the enemy would not find itself sufficiently at leisure to make an attack upon my lines on the other side of the river.

I drew out my plan carefully in the shape of a general order with explanations, and read it to General Grant. He was pleased to compliment the order in high terms, and yielded his assent. I told him that I hoped to do two things which had not been done before — to surprise the enemy and at least gain and hold the outer line of their fortifications, and perhaps, if I had good luck, take Chaffin's farm and get into Richmond.

I further told him that I had another thing in view. The affair of the mine at Petersburg, which had been discussed between us, had convinced me that in the Army of the Potomac negro troops were thought of no value, and with the exception of an attack under Smith on the 15th of June, where they were prevented from entering Petersburg by the sloth, inaction, or I believe worse, of Smith, the negro troops had had no chance to show their valor or staying qualities in action. I told him that I meant to take a large part of my negro force, and under my personal command make an attack upon Newmarket Heights, the redoubt to the extreme left of the enemy's line. If I could take that and turn it, then I was certain that I could gain the first line of the enemy's intrenchments around Richmond. I said: "I want to convince myself whether, when under my own eye, the negro troops will fight; and if I can

take with the negroes, a redoubt that turned Hancock's corps on a former occasion, that will settle the question." I proposed to try this in a manner that I had not before seen attempted, either in the Army of the Potomac or elsewhere, — that is, by a regular "dash," such as I had read of in the history of the wars of Europe.

What I intended to do, and how I intended to do it, is better set forth in the order that I read to General Grant, and which I here reproduce from my order book. I give it as it was then written, because William F. Smith has stated in a magazine article that I was a "child, and incapable of giving an order in the field." That is true or false, and to substantiate its falsity I propose to submit to military critics everywhere whether I was either "a child or incapable of giving an order in the field," and allow my reputation as a commanding general to stand or fall with it.

[Confidential.]

HEADQUARTERS DEPARTMENT VIRGINIA AND NORTH CAROLINA.
IN THE FIELD, Sept. 28, 1864.

TO MAJOR-GENERAL ORD, COMMANDING EIGHTEENTH CORPS;
MAJOR-GENERAL BIRNEY, COMMANDING TENTH CORPS;
BRIGADIER-GENERAL KAUTZ, COMMANDING DIVISION OF CAVALRY.

Pursuant to the verbal directions and written instructions of the lieutenant-general commanding, the Army of the James is about to make a movement on the north side of the James River.

ITS OBJECT

is to surprise the Confederate forces in our front here and, passing them, to get possession of the city of Richmond. Failing that, to make such serious and determined demonstration to that end as shall draw reinforcements from the right of the enemy's line in sufficient numbers so as to enable the Army of the Potomac to move upon the enemy's communication near Petersburg. The forces appropriated to this purpose are so much of the Army of the James as can be spared from the lines at Bermuda Hundred and the garrisoned posts on the river — the strength of which forces you know.

THE MANNER IN WHICH THE MOVEMENT IS TO BE MADE.

The acting chief of engineers will have caused by twelve (12) o'clock midnight of the 28th inst., a sufficient pontoon bridge, well covered to prevent noise, to be laid from the road on the south side of the James to a point near Varina or Aikens' Landing.

The Eighteenth Army Corps, with the exception of the colored division at Deep Bottom, will move across that bridge and make an attack upon the enemy's line in the manner hereinafter to be detailed.

At the same time the Tenth Corps will cross the pontoon bridge at Deep Bottom and make in like manner, and at the same time, demonstration in connection with the third (3d) division of the Eighteenth Corps from that point.

THE POSITION AND NUMBERS OF THE ENEMY.

As near as can be ascertained, the enemy hold a line of earthworks starting at a point at or near Cox's Ferry, at a station called by them "Signal Hill," running thence easterly in the rear of Cox's overseer's house, from thence to a point in the rear of J. Aikens' house, to the hill in rear of the point marked "Newmarket" on the map, across the Varina road, partially along the Kingsland road, which line, it is believed, terminates substantially as a continuous intrenched line at that point. Most of the line has abatis but no ditch.

The troops holding that line, from all the information gathered, are Bushrod Johnson's (Tennessee) brigade, about four hundred and fifty (450) men for duty, with its pickets advanced beyond Cox's overseer's house toward Dutch Gap, holding the line nearly three quarters of a mile beyond that point to a point near the Varina road, at a point about three hundred (300) yards to the west of which the line of breastworks terminates — to be resumed on the other side of road.

The Twenty-Fifth Virginia (City Battalion), numbering not to exceed two hundred (200) men for duty, are extended along the line toward Buffin's house in front of our position at Deep Bottom.

They are there joined by Bennings' (old) Georgia Brigade, commanded by Colonel Dubow, numbering about four hundred (400) men, who are extended along the line past Buffin's house — the picket line being near the house of J. Aikens.

They are there joined by Griggs' Texas Brigade, numbering about four hundred (400) men for duty, who extend along the line to a place called "Newmarket," where the enemy have a pretty strong work on a height commanding the Newmarket road.

These are all the infantry forces, except a battalion of militia reserves, numbering about one hundred and seventy-five (175) men for duty, who are in camp some distance to the rear, who form a connecting line between Johnson's Brigade and the City Battalion. These reserves are composed of soldiers below the age of eighteen (18), and above the age of forty-five (45), but they, with the City Battalion, have never been under fire.

At the place marked on the map "Drill Room," is stationed a regiment believed to be about four hundred (400) men, the Seventh South Carolina Cavalry.

At the place marked "Sweeny's Pottery," Wade Hampton's Legion, numbering about four hundred (400) men, are stationed on the easterly side of Four-Mile Creek and Bailey's Run, apparently to guard the road by which General Hancock advanced over Strawberry Plains from below Four-Mile Creek, and picketing out toward Malvern Hill. In the rear, at the intersection of the roads near the point marked "W. Throgmorton," is a regiment, the Twenty-Fourth Virginia Cavalry, numbering about four hundred (400) men.

In Chaffin's farm there is no garrison, except about one hundred (100) heavy artillerists holding that place as an intrenched camp. It is also a camp for the sick and convalescents of the Virginia battalion.

There are then no other troops between the troops herein enumerated and Richmond, except an artillery company in each of the detached works of that class numbered twenty-three (23) on the map, and the one at Toll Gate and the Race Course. The continuous line of works shown on the map are wholly unoccupied.

It will be seen, therefore, that these bodies of which we have knowledge, if the information is correct, should be two thousand eight hundred and seventy-five (2,875) men, and it may be safely predicted that there are not three thousand (3,000) effective men outside of the limits of the city of Richmond on the north side of the river.

It is upon this information, which is fully credited, that the movement is largely based.

### THE MEANS OF REINFORCEMENT BY THE ENEMY.

There are between the Appomattox and the James less than thirty-five hundred (3,500) men holding a line nearly ten (10) miles in extent, and the nearest considerable body of Confederate troops are massed some seven (7) miles still further off below Petersburg.

Most of the force between the Appomattox and the James is directly in the front of our lines and cannot be much depleted.

Their means of crossing the river are by the pontoon bridge, one between the fortifications of Drury's Bluff on the west, and Chaffin's farm on the east of the James. These fortifications are about a mile apart, and have two or three barbette guns bearing on the bridge-heads. There is no other *tete du pont*. This is a pontoon bridge and is above fortifications at Chaffin's on the one side, and below Drury's on the other. These fortifications are about a mile apart. Next a trestle-work bridge with schooners

for a draw at a point opposite the place of William Throgmorton at the mouth of Falling Creek landing on the westerly side of the river at the southerly side of the mouth of the creek; again a trestle bridge at a point opposite Colonel Knight's house; another trestle bridge nearly opposite the battery marked twenty-three (23) on plan. These three last have no *tetes du ponts* on the north side.

THE MANNER OF ATTACK.

A large element of the complete success of this movement depends upon the celerity and the co-operation in point of time of the several commands in the attack. It is proposed that Major-General Ord shall dispose one of the divisions of his corps in such positions as to mass them near Varina on the north bank during the night silently, so as not to be observed by the enemy, and from thence just before daybreak, which is assumed to be thirty (30) minutes past four (4) o'clock A. M., and that will govern in point of time, to make a sudden sharp attack in column upon the enemy's lines nearly opposite his position upon the Varina road. At the same time, General Birney, having massed such divisions as he chooses, or using the third division of the Eighteenth Corps at Deep Bottom for that purpose, for which it will temporarily report to him, will make a like attack substantially at the point where he attacked before in the late essay across the James, and endeavor to carry Newmarket road and the heights adjacent if he cannot turn them to the left without too great loss.

If successful, and the way can be opened, General Kautz's cavalry, having been massed near the pontoon bridge at Deep Bottom and crossing while the attack is going on, will immediately push out, attempt to cross the Newmarket road, turning the enemy's forces and left flank if possible, avoiding a fight as a preference, and attempt to reach the central, or, as it is called in the country there, Darbytown road. If successful in striking that road, General Kautz is to make the utmost diligence and celerity of marching up that road toward Richmond, or, if he finds himself opposed in such manner as to render it advisable, he will still further flank to the right and strike the Charles City road, as both roads lead into the city within a mile of each other.

If General Ord is successful in passing the enemy's line in his front he is to move right on up the Varina road, and endeavor to reach the intrenched camp at Chaffin's farm, and if possible to take it, and secure and destroy the pontoon crossing just above.

Perhaps General Ord will find the better way to take the works at Chaffin's farm is to pass them by the Varina road, or turn them near the house of J. Aikens and pass to the rear, as the demoralization of their defenders, if any get there from Johnson's command, will be greater when they find themselves cut off from Richmond.

General Ord will observe that the Varina road runs within two miles of the river, and he may be annoyed by the enemy's gunboats, but they would seem to amount to an annoyance only at that distance, yet an attempt to take the work would seem the most feasible from the north-west side of the salient extending in that direction, as there he will be entirely protected by the high bluff from the fire of the enemy's gunboats.

But much of this detail, of course, must be left to his discretion on the ground, which he is enjoined to use largely as to modes and places and of attack. General Ord is expressly cautioned, however, to lose no time in attempting to envelop Chaffin's farm, but rather if he can take the line of works extending across his path to place what in his judgment may be a sufficient force, with orders to intrench so as to hold the bridge, and with the rest of his forces to push up toward the Newmarket road at the junction of which with the Varina road he will probably be met with some force, that being near the station of the cavalry.

If Chaffin's farm can be taken, a force should be detached to hold it, although it becomes of minor importance, except as a possible bridge-head for a new pontoon bridge to be thrown, brought from the Appomattox; but that is a question of time. Leaving sufficient force to protect his rear from the enemy crossing after striking the Newmarket junction, at which point it is hoped he will be joined by General Birney, who will have proceeded up the Newmarket road, General Ord will move to the left and attempt to strike the Richmond and Osborne old turnpike, and also to detach a force, and destroy or hold the bridge next above, and proceed onwards up that road until the junction with the Newmarket road, at which point the only other force of the enemy is supposed to be found on the garrisons of the detached works.

Again, an attempt should be made to destroy the bridge opposite battery twenty-three (23).

If these bridges can be destroyed with reasonable celerity there can be but little doubt of the complete success of the movement.

Meanwhile General Birney will have moved by the Newmarket road up to the point of intersection, where it may be necessary to turn the works by a flank movement to the left in the direction marked on the map "Cox," but that, like the other method of attack, must be left largely to the discretion of General Birney.

As soon as possible after the advance has been made from Deep Bottom, whether the attack is made by the third (3d) division of the Eighteenth Corps, or a division of the Tenth Corps, the third (3d) division under General Paine will have position upon the left of General Birney's column of march, so that when the junction is formed with General Ord

that division may report to him, relieved from its temporary assignment to duty with the Tenth Corps.

The commanding general of the army will endeavor to keep himself in communication with the corps commanders so as to afford any direction, advice, or assistance that may be in his power, and by being kept advised of the movements of the one and the other of the corps commanders, as well as the command of General Kautz, he may be thus enabled to secure more perfect co-operation than would otherwise be possible.

If the movement is made with celerity; if the march is held uninterruptedly as much as possible, and if in the first attack the element of unity of time is observed, which has been greatly neglected in some of the movements of the army, we shall gain over the enemy, so far as any considerable reinforcements are concerned, some eight (8) to twelve (12) hours, and perhaps more of valuable time which ought not to be lost, and which should bring us far on our journey in the twelve (12) miles which we are to go.

As the force of the enemy is so small, there will need to be none of those delays for deployments, which generally take so much time in movements on the army.

If we are not mistaken in the force opposed to us, and if we are we shall learn it very early, that force or any other that may be got on that side of the river for six (6) hours need give us no alarm or trouble, nor indeed when the two corps have joined, need we fear any force which the enemy by possibility can detach from the army without abandoning his position on his right altogether, in which case we shall be likely to get reinforcements nearly as early as he will. Upon approaching the detached works at Richmond, if we are fortunate enough to succeed so far, as they will be found to be some three quarters of a mile apart, and not connected with rifle-pits, and as they are all open in the rear, a quick movement of a small column of troops between them will put them into the hands of the attacking party.

Of course, receiving the fire of the heavy guns in position, which are manned by inexperienced artillerists, and are therefore far less destructive than light guns in the same position.

Getting between two of their works so as to get into the rear would open the gates of Richmond.

### WHAT IS TO BE DONE IN RICHMOND.

Whatever division or other body of troops shall get into Richmond, it will be their duty immediately, without waiting for parley or doing anything else, to proceed at once to the bridges across the James River, seiz-

ing upon inhabitants to guide them for that purpose, if necessary, and destroy them. Fire is the readiest way of destroying bridges, such as these are, of wooden spans. As soon as that destruction has been accomplished, then unless both columns and the cavalry column have reached the city, as large a body as can possibly be spared will be sent to open the way upon the road by which such tardy column is supposed to be advancing, by a sharp attack upon any enemy opposing in the rear.

No large body of troops, it is believed, will be needed for this purpose, as the enemy under such circumstances would make no stand.

In case a portion of the troops reach Richmond, and the troops holding either bridge-head below Richmond are attacked, they are to hold the ground as long as possible, having, the moment that they strike the point which they intend to hold, strengthened themselves by intrenchment as much as possible, for which reason the battalion of engineers has been ordered to report to Major-General Ord, and will be well at the front, furnished with their intrenching implements.

In case the troops guarding the bridges are forced back they will retire upon the position held by our army, not allowing the enemy to get between them and the main body.

In case any portion of the troops have reached Richmond, and those outside are attacked by a force of the enemy which they are unable to resist, they will retire towards Richmond and not from it.

It being intended if the town is once reached to hold it at all risks and at all hazards, all commanders of divisions, and others in advance, are especially cautioned not to recognize or regard flags of truce if any are sent, but immediately receiving the bearer to press on. It will be time enough to deal with flags of truce after the object of the expedition is accomplished.

DETAILS OF THE MARCH AND OF THE EQUIPMENT OF THE TROOPS.

As so much depends upon the celerity of movement, and the distance over which we are to move is so short, the troops will leave everything except a single blanket rolled over their shoulders, and haversack with three (3) days' cooked rations and sixty (60) rounds of cartridge in their cartridge boxes and on their persons. All tents, camp equipage, and cooking utensils are to be left behind. No wagon will be allowed to cross the river without orders from these headquarters. The wagon trains, however, will be supplied with six (6) days' rations and half forage for the same time and forty (40) rounds of extra ammunition per man, ready to start as soon as ordered.

As this movement will necessarily be a failure as it degenerates into an artillery duel, there is no necessity for any artillery to cross until after the attempt to carry the first line of works, and then only such batteries as have been designated in the conversations between the commanding general and his corps commanders.

The two battalions of horse artillery, reporting to General Kautz, will cross and travel with him.

Ambulances will be parked near the southern head of each pontoon bridge, ready to be used when occasion requires.

Hospital boats will be at Deep Bottom for the purpose of receiving any wounded. General Kautz will take with him three (3) days' cooked rations per man, and what forage he can conveniently carry. Assuming that he is better mounted than the enemy's cavalry, and fresh, he will have no difficulty in case it should be necessary to cut loose from the infantry column, and circle the city as far as may be necessary, remembering always that celerity of movement in cavalry in a far greater degree than infantry, is the principal means of success.

The commanding general cannot refrain in closing these instructions, from pressing one or two points upon the attention of corps commanders.

First, the necessity of being ready to move, and moving at the moment designated.

Secondly, the fact that the commanding general is under no substantial mistake in regard to the force to be at first encountered, and, therefore, there is no necessity of time spent in reconnoitring or taking special care of the flanks of the moving columns.

The commanding general would also recommend to the corps commanders, as soon as it may be done with safety from discovering the movement, to impress upon each of the division commanders with directions for them to transmit the information through their subordinates, even to the privates, of the number and kind of troops we are required to meet, so there may be no panic from supposed flanking movements of the enemy or attacks in the rear — always a source of demoralization where the troops do not understand the force of the enemy. Let us assure and instruct our men that we are able to fight anything we will find either in front, or flank, or rear, wherever they may happen to be.

Lastly, the commanding general will recommend for promotion to the next higher grade the brigadier-general commanding division, colonel commanding brigade, and so down to all officers and soldiers of the leading division, brigade, or regiment which first enters Richmond, and he doubts not that his recommendation will be approved by the lieutenant-general, and acted upon by the President, and if Richmond is taken he

will pledge to the division, brigade, or regiment first entering the city to each officer and man six (6) months' extra pay.

While making this offer so general to officers and men the commanding general desires to say that he has not included the major-generals commanding corps, because he knows of no incentive which could cause them to do their duty with more promptness and efficiency than they will do it.

Very respectfully,

BENJ. F. BUTLER,
*Major-General Commanding.*

Unfortunately at the date fixed for the execution of that order, the 29th of September, General Birney was sick. The command of his corps was about to devolve upon Gen. A. H. Terry, who would have very well executed his part, but General Birney returned.

Just before sunset on the 28th of September I rode along the James River on the south side from a point opposite Aikens' Landing down to Deep Bottom. There was no more appearance of the proposed movement than if there had not been a soldier within fifty miles of the place — not the slightest appearance of any preparation for throwing a pontoon or other bridge across the river, and no pontoons in the river or in sight.

When darkness fell the work began, and at half past eleven I was again there. A thoroughly serviceable pontoon bridge had been thrown across the river to convey infantry and artillery, and it was entirely muffled.

At five minutes of midnight the head of Ord's column struck the bridge, and with a quiet that was wonderful the march across was performed.

I had sent an aid to Deep Bottom, and he met me half way coming back to say that at precisely twelve o'clock Birney's column silently began crossing the bridge, and that General Birney had said that after he had bivouacked three divisions of colored troops as well as his own, he should remain quiet and move exactly at daybreak; and that he expected that I would take personal command of the colored troops at that time.

I rode quickly to my headquarters and snatched a few minutes' sleep. At three o'clock I took my coffee, and at four I was crossing the Deep Bottom Bridge.

At half past four o'clock I found the colored division, rising three thousand men, occupying a plain which shelved towards the river, so that they were not observed by the enemy at Newmarket Heights. They were formed in close column of division right in front. I rode through the division, addressed a few words of encouragement and confidence to the troops. I told them that this was an attack where I expected them to go over and take a work which would be before them after they got over the hill, and that they must take it at all hazards, and that when they went over the parapet into it their war cry should be, "Remember Fort Pillow."

The caps were taken from the nipples of their guns so that no shot should be fired by them, for whenever a charging column stops to fire, that charge may as well be considered ended. As there was to be no halt after they turned the brow of the hill, no skirmishers were to be deployed.

We waited a few minutes, and the day fairly shining, the order was given to go forward, and the troops marched up to the top of the hill as regularly and quietly as if on parade.

Then the scene that lay before us was this: There dipped from the brow of the hill quite a declivity down through some meadow land. At its foot ran a brook of water only a few inches deep, a part of the bottom, as I knew, being gravelly and firm. The brook drained a marsh which was quite deep and muddy, a little to the left of the direct line. The column of division unfortunately did not oblique to the right far enough to avoid that marsh wholly. Then rose steadily, at an angle of thirty to thirty-five degrees, plain, hard ground to within one hundred and fifty yards of the redoubt. At this point there was a very strong line of abatis.[1]

A hundred yards above that, the hill rising a little faster, was another line of abatis. Fifty yards beyond was a square redoubt mounting some guns *en barbette*, that is, on top of the embankment, and held by not exceeding one thousand of the enemy. I rode with my staff to the top of the first hill, whence everything was in sight, and watched the movement of the negroes. The column marched down the declivity as steadily as if on parade. At once when it came

[1] If practicable in war a line of abatis is composed of heavy trees laid down or felled around a fort, the tops or upper portions of which are cut off, and the branches sharpened and so interlaced that men cannot crawl through them, certainly not in a body.

in sight the enemy opened upon it, but at that distance there was not much effect.

Crossing the brook their lines broke in little disorder, the left of the divisions having plunged into the morass, but the men struggling through, held their guns above their heads to keep them dry. The



ARRIVAL OF FIRST CONFEDERATE CANNON CAPTURED BY GEN. BUTLER'S COLORED TROOPS.

From a Drawing.

enemy directed its fire upon them; but, as in all cases of firing downwards from a fort, the fire was too high. The leading battalion broke, but its colonel maintained his position at its head. Words of command were useless, as in the melee they could not be heard; but calling his bugler to him the rally rang out, and at its call his men formed around him. The division was at once re-formed, and

then at double quick they dashed up to the first line of abatis. The axemen laid to, vigorously chopping out the obstructions. Many of them went down. Others seized the axes. The enemy concentrated their fire upon the head of the column. It looked at one moment as if it might melt away. The colors of the first battalion went down, but instantly they were up again but with new color bearers. Wonderfully they managed to brush aside the abatis, and then at double quick the re-formed column charged the second line of abatis. Fortunately they were able to remove that in a few minutes, but it seemed a long time to the lookers on. Then, with a cheer and a yell that I can almost hear now, they dashed upon the fort. But before they reached even the ditch, which was not a formidable thing, the enemy ran away and did not stop until they had run four miles, I believe. They were only fired at as they ran away, and did not lose a man.

As I rode across the brook and up towards the fort along this line of charge, some eighty feet wide and three or four hundred yards long, there lay in my path five hundred and forty-three dead and wounded of my colored comrades. And, as I guided my horse this way and that way that his hoof might not profane their dead bodies, I swore to myself an oath, which I hope and believe I have kept sacredly, that they and their race should be cared for and protected by me to the extent of my power so long as I lived.

When I reached the scene of their exploit their ranks broke, but it was to gather around their general. They almost dragged my horse up alongside the cannon they had captured, and I felt in my inmost heart that the capacity of the negro race for soldiers had then and there been fully settled forever.

Meanwhile the white troops under Birney had advanced up the Newmarket road in the direction indicated by his orders without meeting any force except a few skirmishers and pickets who fled before him, and occupied the abandoned line of the enemy's intrenchments, which had been carried by the colored division.

Not long after I joined Birney, neither of us having heard anything from the operations of Ord, Captain DeKay, my aid who had accompanied General Ord so that he might communicate to me when desirable, rode up with haste and informed me that General Ord had been very eminently successful; that with his troops of the Eighteenth

Corps he had, with great gallantry, stormed Fort Harrison, a very strong work near James River, being the salient point of their line, and captured it without very considerable loss, the enemy retreating up the river line of fortifications. All the redoubts, as far as could be seen, had been abandoned largely because they could all be taken in the rear. But General Ord, desiring to reconnoitre the position, mounted upon the top of the highest point of Fort Harrison, and stood looking at the country, and while so doing, unfortunately received a very serious wound in his ankle from a single shot of a rebel sharp-shooter, which entirely disabled him, and from which he suffered great pain. As will be remembered, for the purpose of having a surprise the orders for the movement were intrusted only to the commanders of corps. Ord's staff, in their anxiety for the condition of their chief, immediately got him into an ambulance and took him to Deep Bottom, some miles down the river, where he could have proper facilities for surgical care, but very unfortunately, he not being in condition to remember about it himself, carried away in his pocket his orders, so that General Heckman who succeeded him in command knew not what to do.

Meanwhile General Grant, in natural concern as to the success of the expedition, rode over from City Point, arriving after a delay of some hours, and found my troops occupying Fort Harrison.

DeKay had ridden to find me and given me information of the condition of affairs. I asked him by what road he came. He said: "By the Varina road," and I said to him: "That is covered by the enemy's line of fortifications." He said: "They had all been abandoned, General, I saw as I came by them." Thereupon I called a couple of orderlies and said: "DeKay, ride with me to Fort Harrison by the shortest route." We rode out until we got on the Varina road, and there I could see plainly at a distance of some three or four hundred yards the line of redoubts and their connecting intrenchments apparently abandoned. We had ridden but a short distance when I was saluted by the discharge of a shell which passed over my head. Supposing this line of redoubts was occupied by our troops, as they ought to have been, and would have been I doubt not except for the accident to Ord, I said: "Well, DeKay, it is not usual to salute the commanding general with a shell." He raised his glass and said: "But, General, that redoubt is occupied by the

rebels." I said: "You told me it was evacuated when you came by." He said: "So it was, but they have reoccupied it." The word was scarcely out of his mouth when an artillery shot came over, and we found ourselves in this dilemma: We must either return,— and we had got so far down that that was a pretty hazardous operation,— or we must ride on. We could not abandon our horses because the turnpike was laid over a morass, and the rebels would have only to send out a party to pick us up. So I said: "My boy, we must ride for it," and we did. Then they opened upon us with musketry by battalion, and the singing of the minie balls as they passed over our heads was inspiriting but not pleasant music. I confess that I put my horse to his quickest pace; and under it all, I could not help smiling to see DeKay, who rode a fine hunter, trying to manage, as she was going at her best gait, to keep his thread-paper body between me and the fire, which continued during our ride, quite three quarters of a mile.

When we got in sight of Fort Harrison the firing ceased. No damage had been done except that a horse of one of the orderlies got a pretty sharp wound, and when I got to the fort I found the crupper strap of my saddle cut off, by what means I know not. I found also that a tuft of cotton under my shoulder strap, which the tailor had been kind enough to put there, was torn out. As I had not been that day where anything of the kind could have happened before, I attributed both to the shots of the enemy.

At Fort Harrison I found General Grant. He had made a hasty examination of the premises, and found that the gorge of the fort was open towards the river and the enemy's gunboats had opened upon that gorge, and, not knowing the great success we had had on the right, he had come to the conclusion that the line of fortifications extending into the country from the river could not be held, and had better be abandoned as soon as the fort could be dismantled. He had already sent off two very heavy guns across the bridge at Varina. In a few minutes' consultation I assured him that, in my judgment, a line could certainly be held against any force that was now on the north side of the James, the numbers of which I knew. It would take quite twelve hours for Lee to get any sufficient number of his troops from Petersburg there to attempt to dislodge us. In the meantime we could so far protect ourselves by filling up the

gorge that the fire of the rebel gunboats would be of no consequence, and at their distance the gunboats could not aid Lee in the attack upon us. By turning the line of intrenchments I felt sure that with my force I could hold that most important line of the outer fortifications of Richmond. Grant laughingly said: "Well, General, if you say so, and as this is your expedition, I do not think I ought to interfere. You can take the responsibilities of your own command. I am sorry I sent off those two guns."

"Well," I said, "they would be of very little consequence here; they are siege guns and our light guns will be all that we need. But I am afraid the men that were sent off with the guns will never know how to get them across the pontoon bridge without tipping them over into the river and losing them," — which, unfortunately, happened. Grant went home, after giving us his congratulations upon what had been done and saying it was worth all we should lose unless we were driven from the works with great loss. General Weitzel immediately commenced preparations for the reception of Lee if he sent over his men. The greatest diligence was used to put ourselves in posture of defence. The activity and enthusiasm of the negro troops in the later afternoon and night were wonderful.

The outside line of the fortification we made the inside line by occupying the ditch. This sheltered us more than if we had not turned the line, and was of the greatest service, especially as it was a dry ditch.

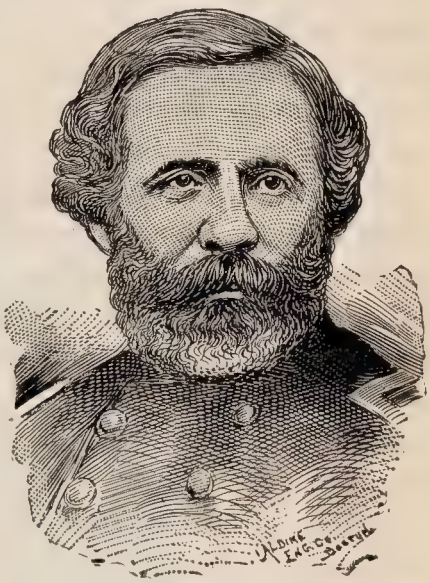
Birney, acting on the information that the enemy's line of redoubts in his front next the river had been abandoned in whole or in part, made a strenuous attack with his colored division upon the principal redoubt, known to us as Fort Gilmour. That was the salient point in the line, and its occupation would have caused the evacuation of the whole line.

The men rushed up to the breastworks in spite of a heavy fire. They found that the works were very high and the ditch very deep, from the bottom of the ditch to the parapet being about fifteen feet. The colored soldiers, not daunted, attempted to assault the parapet, and climbed upon each other's shoulders for the purpose of getting at the enemy. But after a prolonged struggle and the capture of some one hundred and forty of them who got over the parapet, they were obliged to retire to the line of intrenchments they had occupied.

But the manner of their attack more than compensated for their loss, for it was another demonstration that the negro would fight.

Lee appreciated the great importance of recovering his line, and on the following morning, with two of his best divisions, as we were informed, he made a very energetic attempt to carry our position. His troops were formed between us and the river so that his advance was over a substantially open field.

Fort Harrison and the intrenchments nearest it, captured by the gallant officers and men of the Eighteenth Corps the day before, were most bravely and inflexibly held by them. Our loss was very considerable, and especially in officers, who I suspect were too proud and courageous to shelter themselves, as they did their men, behind the reversed intrenchments. We lost there the very efficient General Burnham, in memory of whose gallantry Fort Harrison was afterwards named Fort Burnham. We lost many others of our higher field officers, so that before the battle was ended majors were in command of brigades, and captains of regiments. Every man was a hero on that day.



GEN. HIRAM BURNHAM.

Three times our line was charged by the rebel North Carolina troops with the most persevering energy.

But our troops held their intrenchments and in comparative shelter swept the field. The North Carolina division was substantially destroyed. Nineteen battle-flags and several hundred prisoners were captured. The day was a very rainy one, but the rebels kept up the attack until nearly night, when they withdrew. No attack was ever afterwards made on that line, but we occupied it from that time until our negro troops marched from it to take possession of Richmond.

Further up to our right about a mile from our line I bivouacked with my staff and some dozen orderlies in a grove of stunted pines. My headquarters guard had not come from Bermuda with me, and I

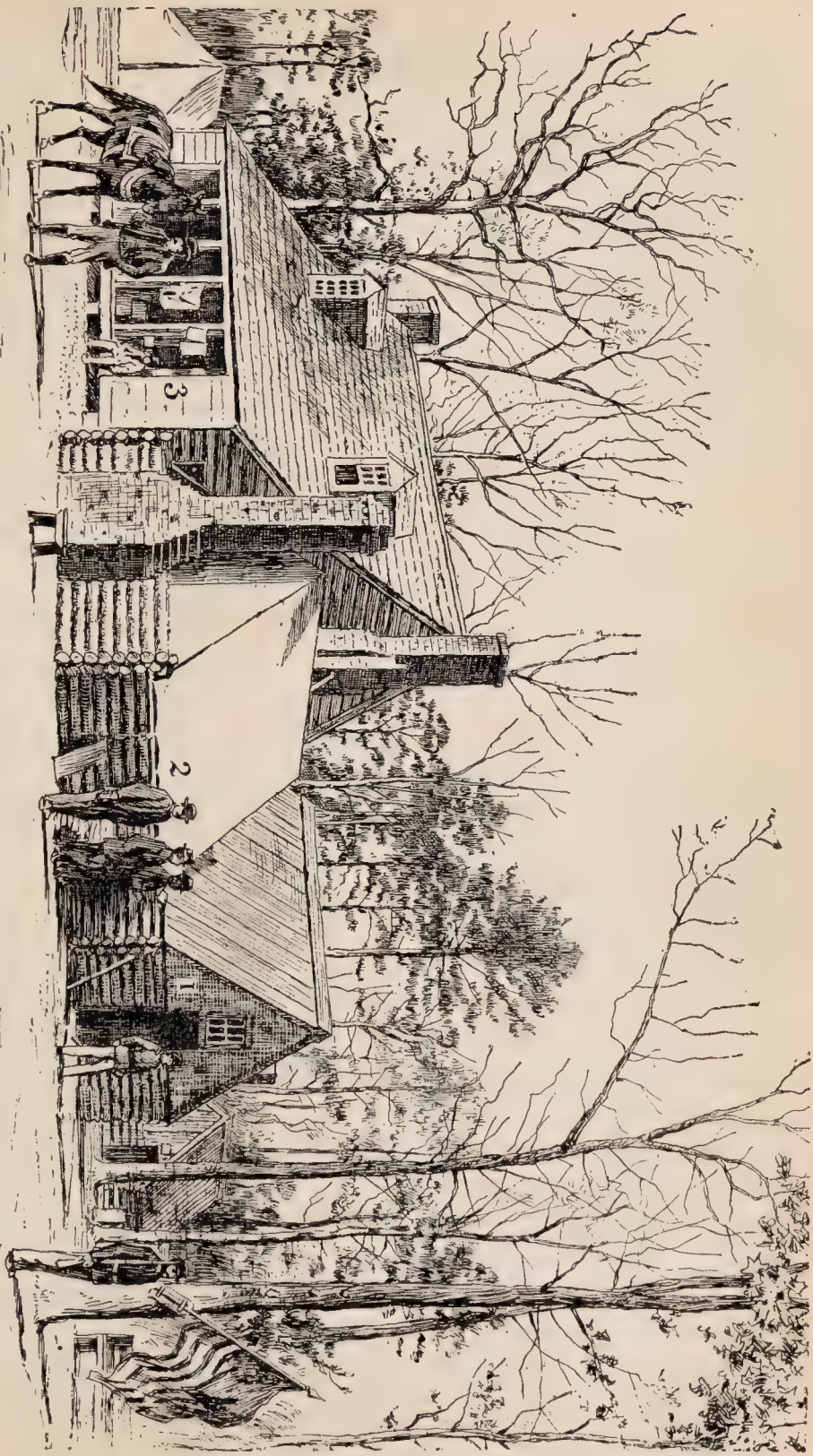
saw no necessity for detailing from the line any of my tired troops to make a guard. The night was an exceedingly dark one.

About nine o'clock General Weitzel's provost marshal came up to headquarters, where he naturally supposed there would be a sufficient guard, and turned over to my headquarters provost marshal some three hundred prisoners, took his receipt and rode back to his own camp, some three miles to the left, and I found myself in this singular situation — with fifteen or twenty of my staff and orderlies, having in charge that large number of prisoners on a very dark night.

I directed my orderlies, from a quantity of wood that had fortunately been cut and left there, to instruct the prisoners to build fires to dry themselves, and as our supply wagon was very well filled, the prisoners were seated upon the ground and served with rations, which in the warmth of the fire they very gratefully appreciated. The orderlies, changing their clothes, appeared amongst them quite often and they never guessed that the general and staff of their captors were wholly within their power. How it would be when daylight came was another question, so I sent a staff officer up to General Birney's headquarters and asked for a couple of companies to report as soon as possible. They got there between eleven and twelve o'clock, and were posted with a proper line of sentries, and in the morning the prisoners were marched under guard to Deep Bottom. I sent for my headquarters guard, however, and my belongings at my headquarters at Bermuda Hundred, and took possession of a beautiful grove in which the house of a planter named Cox was situated. This house and its outbuildings I turned over to my guards and attendants. I had headquarters built of logs for the occupation of myself and staff, because I would rather have a fresh log house for that purpose than a planter's deserted house, which, from my experience, I found sometimes too thickly populated to be comfortable. Those headquarters were never abandoned until Richmond was taken.

Except for the unfortunate accident of General Ord's disability, this whole movement was most successful, but not all we had hoped for, and it was characterized by General Grant as one of the best things of the kind done in the war.

In a book published by Maj.-Gen. A. A. Humphreys, General Meade's chief of staff, purporting to be a history of the movements




HEADQUARTERS OF GEN. BUTLER ON NORTH BANK OF THE JAMES, EIGHT MILES FROM RICHMOND.

1. Office and Room of Gen. Butler. 2. Kitchen. 3. Servants' Lodgings.

from the Rapidan, this movement is narrated, and although it was carried on in obedience to my express orders and under my own personal superintendence and command, he forgets to mention that I was there at all or had anything to do with it, simply because he was, and I was not, a captain in the regular army. I hope what I say may not give too great a sale to his book, which can be bought anywhere for a dollar.

In the attack on Newmarket Heights by my column of colored troops I violated for the first time a rule of my own military action. I admit that as generals go I was not fit to be a general, in that I never did, nay, never could, order a movement of troops to be made without carefully stopping to count the loss I was likely to make of men in doing it, however successful it might prove. Nor did I ever forget the still more important fact, whether the thing to be done by a given movement would be worth its cost. And I trust I was never overweighed as to those results by the consideration that if successful the movement would result in my military renown. In other words, for my own glory I never incurred large "butcher's bills."

Unfortunately if I erred, it was because I deemed the lives of my men too valuable. Sitting in my tent at night, pondering with pen in hand, and making memoranda for a military movement in the morning, I could hear in the mess-tent near me many of the officers of my command gathered together enjoying themselves with music, and genial, hilarious laughter, and I could not help the thought from intruding upon me: How many of those young men am I condemning to death or mutilation on the following day by the order I am considering, to say nothing of the gallant soldiers to be condemned with them. Leaving out any sentiment in the matter, every man I have in my command has cost the government on the average more than three thousand dollars in his preparation to serve the Union. If I gain what I am to undertake, shall I not lose to the country more than its worth toward the termination of the war? And as these sounds greeted my ears, more than once the pen has dropped from my hand and with deep agitation I have paced my tent, painfully reflecting upon these topics. This shows I was no Napoleon, for he told his men at Saragossa, when they were falling around him, says the historian, "Never mind, boys; a single night in Paris will make this all

up." I confess that if such sentiment is necessary to fit a man for a general, I am not so fitted.

But in the attack on Newmarket Heights I did deliberately expose my men to the loss of greater numbers than I really believed the capture of the redoubt was worth; for if the enemy's lines at Fort Harrison were captured, as they were, then Newmarket Heights would have been evacuated without loss, for I do not know that they were ever reoccupied by either side afterwards during the war. Now comes the inquiry in the minds of reflecting men: "Why make the attack?" Because it was to be done with my negro troops. "Are we to understand that you would sacrifice your negro troops where you would not your white troops?" No; except for a great purpose in behalf of their race and in behalf of the Union. If I have tried to make anything apparent up to this time in what I have written, it is that from prejudice and ignorance of their good qualities it was not really believed in and out of the army by military men, with a very few exceptions, that the negroes would fight. My white regiments were always nervous when standing in line flanked by colored troops, lest the colored regiments should give way and they (the white) be flanked. This fear was a deep-seated one and spread far and wide, and the negro had had no sufficient opportunity to demonstrate his valor and his staying qualities as a soldier. And the further cry was that the negroes never struck a good blow for their own freedom. Therefore, I determined to put them in position, to demonstrate the fact of the value of the negro as a soldier, *coûte qui coûte*, and that the experiment should be one of which no man should doubt, if it attained success. Hence the attack by the negro column on Newmarket Heights.

After that in the Army of the James a negro regiment was looked upon as the safest flanking regiment that could be put in line.

I had the fullest reports made to me of the acts of individual bravery of colored men on that occasion, and I had done for the negro soldiers, by my own order, what the government has never done for its white soldiers — I had a medal struck of like size, weight, quality, fabrication and intrinsic value with those which Queen Victoria gave with her own hand to her distinguished private soldiers of the Crimea.

I have caused an engraving of that medal to be printed in this book in honor of the colored soldiers and of myself.




The obverse of the medal shows a bastion fort charged upon by negro soldiers, and bears the inscription, "Ferro iis libertas perveniet." The reverse bears the words, "Campaign before Richmond," encircling the words, "Distinguished for Courage," while there was plainly engraved upon the rim, before its presentation, the name of the soldier, his company and his regiment. The medal was suspended by a ribbon of red, white, and blue, attached to the clothing by a strong pin, having in front an oak-leaf with the inscription in plain letters, "Army of the James." These I gave with my own hand, save where the recipient was in a distant hospital wounded, and by the commander of the colored corps after it was removed from my command, and I record with pride that in that single action there were so many deserving that it called for a presentation of nearly two hundred. Since the war I have been fully rewarded by seeing the beaming eye of many a colored comrade as he drew his medal from the innermost recesses of its concealment to show me.




Although we had now obtained a position some ways up the James River towards Richmond, the enemy had four iron-clads on the river. But it was supposed they could not come below Trent's Reach because that had been partially obstructed by the navy. As the draft of water in one place at an ordinary low tide was not more than eight feet, and as the land was low on the north bank of the river, it was evident that we could make no further advance upon the enemy's

works upon that side of the river while they were protected by the enfilading fire of their gunboats.

I went with Captain Melancthon Smith of the navy,— who assured me that it was impossible for the monitors and larger vessels of his fleet — they drawing sixteen feet of water and over — to get up the river further than Trent's Reach, — to make a reconnoissance with him and devise a plan, if possible, by which he might ascend the James with his vessels, which were then lying below at the point called "Dutch Gap," to the defences of Richmond.

Here is a peculiar formation: The river running up by Trent's Reach bends very sharply to the right and returns again, in an elongated horse-shoe form, so directly that while it has passed over a distance of more than seven miles, the waters of the river, at a depth of twenty-five feet, approach so nearly that there is only about four hundred and twenty-five feet from the water on the upper side across the neck at Dutch Gap to twenty-five feet of water on the lower side. So a canal wide and deep enough for our gunboats to get through it, would require a cut less than five hundred feet long, sixteen feet deep, and sixty feet wide on the bottom and ninety at the top. Any engineer will understand that this was a cut that our troops could make easily and without any very considerable delay or expense.

After having made a reconnoissance of this position with Commodore Smith, who then commanded the naval forces of James River, I went down to City Point and asked General Grant and Chief Engineer Barnard to come up with us and examine the premises. This they did, and made a very careful exploration of the point. It was known as Dutch Gap for the reason that some enterprising German had cut down quite a gap in undertaking to build a water-way through there many years before. We came to the conclusion that to dig the canal was a very desirable thing to do, and General Grant directed me to undertake it.

The peninsula of land around which the river winds is at this point some sixty feet high. This made the excavation of the canal, from the lower side, very safe, as it was protected from the direct fire of the enemy, either from their gunboats or from batteries erected on either side, until it had been cut through.

An exploration of the nature of the ground showed it to be of a very hard lime-stone gravel. In it was imbedded a great deal of



DUTCH GAP CANAL, ON JAMES RIVER, BELOW RICHMOND. COMMENCEMENT OF OPERATIONS. From Photograph.

petrified wood, whole trees being found which had been transformed into a very friable, easily broken stone, which still preserved the grain of the wood and the knots and branches of the trees. Thus a substantially straight cut could be made in it without any danger of a slide of the earth on the sides of the excavation.

General Grant asked me how long it would take to cut the canal through. I said, "After we get at it, sixty days, — possibly more, — depending somewhat upon the interruptions made by the enemy." I said I thought the best way would be, and in that General Barnard agreed with me, to commence by placing a coffer-dam at the lower end of the canal, and then to cut the excavation wide and deep enough up to within twenty-five or thirty feet of the river on the other side, and let the bank at the upper cut stand as a shield against the enemy's direct fire.

The work proceeded according to this plan, under the direction of my skilled engineer, Maj. Peter S. Michie, now one of the board of instructors of West Point Military Academy, than whom I know of no better or more efficient engineer. It was pursued with great diligence and success. Once it was finished we could hold the James River up to Fort Darling with our fleet, if the naval forces of the United States were able to compete with the enemy's fleet above, which we assumed they were able to do. And when at Fort Darling we should be in condition to make an attack upon Richmond itself, which would lie almost under our guns, for we would be inside of the interior defences of that city.

The enemy, appreciating the importance of this strategic undertaking, and finding that we could not be reached by direct fire of their artillery from any point, because of our "shield," erected some mortar batteries on the other side of the James and undertook to stop our work by a continuous and frequent fire of mortar shells, dropping them into our excavation. After a little time they dropped them there with considerable frequency, but did very little damage, and scarcely any harm to the workmen. At a mile and a half distance it is not easy to drop a shell with any certainty into a space three hundred feet long and ninety feet wide. The soil, as I have said before, was very hard on the sides, so that along the banks we could dig caves, or, as they were called, bomb-proofs, in which the workmen could take refuge whenever there was any danger of a shell

falling where the explosion would be injurious to them. The line which a shell describes on being thrown for the purpose indicated, is a parabola of about two miles. I was familiar with this matter, for I had watched the bombardment of Fort Jackson, on the Mississippi, during the considerable part of a week, and thus made its acquaintance.

The first thing to do was to station a couple of well-instructed men at points from which every shell could be watched during its whole flight. These observers could tell after a little practice almost precisely where the missile would land, that is, whether it would



BOMB-PROOF QUARTERS AT DUTCH GAP CANAL.

come in our excavation so as to do harm or not. While the men were at work these men were on watch, and a shell being seen coming, if it was likely to fall in our way, the watchmen would call out "Holes!" whereupon the workmen would at once protect themselves by rushing into their adjacent and convenient bomb-proofs, to come out and resume their work again as soon as the shell had struck and exploded without harm.

If the shell was not to strike within the excavation or near to it, the watchers allowed it to take its course and the men were not alarmed.

So that substantially all the damage we suffered was to our single mule tipcarts, which were used for removing the earth. A number of mules were killed or wounded, and some of the carts were stove up, but under the circumstances the work was successfully prosecuted.



VIEW OF DUTCH GAP CANAL, ON JAMES RIVER, BELOW RICHMOND. COMPLETION OF OPERATIONS BEFORE EXPLODING OF MINE.

From Photograph.

When we got within twenty-five feet of the water on the upper side we put a mine under that portion, leaving an arch over it which was sufficient to sustain the weight of the superincumbent earth, and loaded that mine with some tons of gunpowder. Our shield of earth above the mine which was twenty-five feet thick at the bottom

was gradually sloped until at the top it was scarcely more than twelve inches thick.

Commodore Smith was very enthusiastic about the canal and kept continually urging me to complete the work. When we were ready we were to blow up this mine and the earth over it would, of course, be thrown up into the air and fall back into our excavation. A goodly portion of it would be in such state as to be at once easily removed with a dredger, and then the canal completed.

We got all ready in the latter part of December to explode our mine. General Grant telegraphed me, that he had made some arrangements to utilize the canal by a movement toward Richmond in co-operation with the navy, and that I had better blow out the head of the canal. Meanwhile I had procured a dredger, and in twenty-four hours, or two nights' work, when the enemy could not annoy us with their shells, the canal could be made navigable. On Christmas day the mine was discharged. A tall mass of hard dirt was elevated into the air and came down in fragments into the canal, low enough to allow the waters of the James River to flow over it about three feet deep before it was dredged.



VIEW OF DUTCH GAP CANAL, ON JAMES RIVER, BELOW RICHMOND.

BLOWING OUT BULKHEAD.

From a Drawing.

But in the meantime a very untoward occurrence had happened. Commodore Smith was wanted elsewhere by the Navy Department; and without giving any notice whatever to us or inquiring into his value where he was, — for he was both an intrepid and an enterprising officer, — he was relieved and sent elsewhere, and in his place a naval commander, one Parker, was sent. He had been a witness of the explosion and had examined the canal, and the first thing that I heard from him was by his letter to my commandant of the work, Major B.

C. Ludlow, begging him not to open Dutch Gap Canal because, this done, Parker was afraid that the enemy's fleet would come down, and he did not know that he could sustain himself against their attack.

Here was a situation; I had been trying to make an opening by which the dog could get at the fox and destroy him, and the dog begged of me that I would not, lest the fox should eat him up. And so I never did a stroke more work on the canal, and the country rang with "another of Butler's failures" at Dutch Gap Canal. I could not publish that letter in my justification to show that the canal was not a failure, because I should have to disclose to our enemy, as well as to our people, the fact that our navy did not consider itself capable of meeting the rebel navy on James River. As a patriot I must keep that fact quiet, and I have so done.

I may as well finish the story of this matter now by saying that I was relieved from my command of the Army of the James on the 8th of January, 1865, perhaps ten or twelve days later, and possibly this "failure" of mine was one of the grounds in the mind of the President for my being allowed to be removed, or which caused the removal, and so I suffered.

But within less than thirty days afterwards Farragut was summoned to City Point to look into the naval matters on James River. The enemy, taking courage, had come down through Trent's Reach, with three of their light-draught, iron-clad gunboats during the high water to attack our monitors lying near the lower mouth of Dutch Gap Canal. Parker ordered his vessels to up anchor, and he ran away with them so fast down the river that he could not stop to have the draw in the pontoon bridge opened to let him through, which might have taken five minutes, and so broke through the bridge and never stopped running until he got down to City Point. He would not have stopped then had he not found that from some cause, he knew not what, he was not pursued. What prevented the rebels from following Parker and capturing City Point, destroying all Grant's transports and shipping, was that one of the rebel ironclads got aground in Trent's Reach, and the others went back to help it off. This took so long that the night passed, and in daylight when they got the vessel off, the forts opened upon them, and they ran back up river and never came down afterwards.

A court-martial was held on Parker, presided over by Admiral Farragut, which found him guilty of cowardice, and he was sentenced to be dismissed from service. This sentence was changed to a lighter punishment by Gideon Welles, who thought cowardice excusable.

Dutch Gap has since been dredged out, and is the main channel of commerce between Richmond and the outer world. The waters of James River being diverted by the canal no longer flow around at any depth through Trent's Reach, and that which was the former channel of the river will soon, if it has not already, become marsh land.

Dutch Gap Canal is the only military construction of all that were done by the army which remains of use to the country in time of peace, a monument to its projector and constructor, one of "Butler's failures."

In October 28, 1864, all was quiet on the James, and as I desired to examine some statute law and some books on international law in order to deal with the argument of Mr. Ould, the Confederate Commissioner of Exchange, that international law governed the right of the capturing party to return prisoners of war into slavery, I started for Fortress Monroe on my headquarters boat, with a couple of my staff officers, and boat's crew, and orderlies. I stopped at City Point and called on General Grant. He welcomed me cordially.

"Are you going to do anything for a day or two?" I said.

"Not that I know of," said he.

"I want to go down to Fortress Monroe," said I, "and consult some books, and I am on my way there with your permission."

"Why, General," said he, "that is in your department, and you have a right to go anywhere in your department with or without my permission."

"But not without your knowledge, General."

I went down the river, and within three hours was at the fort. I spent some days there, in the routine business of the department, and in other duties. Late in the day of November 1st the telegraph operator came in and handed me a cipher despatch which he had just received, saying: "This message was directed to your headquarters in the field, but knowing that you were here I brought it to you

without forwarding it to City Point." To reach my headquarters in the field such despatches were retransmitted at General Grant's headquarters. I read these words: —

Report at once in person to the Secretary of War.

EDWIN M. STANTON.

I ordered my vessel to be coaled as soon as possible for two days' sailing. I reflected upon the despatch. What could it mean? Was I to be summarily dismissed? Was I to be promoted? What had happened? As in duty bound I at once telegraphed the despatch to General Grant for his orders and received Grant's answer.[1] I reached my boat with my officers before the coaling was completed, and ordered the captain to stand out to Cape Henry until he received further orders. When fully out of sight of the fort I directed him to steam slowly until dark, and then to proceed with all speed to Washington.

We arrived the next morning. As soon as a landing could be effected I mounted my horse and rode to the War Department, where I arrived just before nine o'clock. Throwing my reins to an orderly I went to the office of the Secretary of War, where I was instantly admitted. Even at that early hour he had three visitors.

"I am here, Mr. Secretary, by your orders," said I. "What am I to do?"

"Step into my private office and wait until I can come to you."

I did so, and in a few minutes he came in bringing a thick bundle of papers.

"Read these papers, General. They contain very important information from New York. Before you get through I will be with you."

I carefully read the papers. They were the reports of his confidential agents and detectives, and of prominent loyal men in the city and State as to the condition of affairs there. They contained matter sufficiently alarming, but, as is always the case, exaggerated.

In substance they stated that there was an organization of troops which was to be placed under command of Fitz John Porter; that there was to be inaugurated in New York a far more widely extended and far better organized riot than the draft riot in July, 1863; that

[1] See Appendix No. 84.

the whole vote of the city of New York was to be deposited for McClellan at the election to be held just one week from that date; that the Republicans were to be driven from the polls; that there were several thousand rebels in New York who were to aid in the movement; and that Brig.-Gen. John A. Green, who was known to be the confidential friend of the governor, was to be present, bringing some forces from the interior of the State to take part in the movement.

The fact of such an organization was testified to over and over again. The number of troops on Governor's Island under General Dix, who commanded the Department of the East, was shown to be very small, indeed, and was counted on as unreliable, as they were a garrison of the regular army.

The secretary came in just after I had finished reading the papers.

"What do you think of that, General?" he asked.

"Do you believe all this?" I said.

"The information is perfectly reliable," he replied, "and I must act upon it."

"What do you want me to do?"

"I want you to go there and take command of the Department of the East, relieving General Dix, and I will have sent you from the front a sufficient force to put down any insurrection."

"I don't want to take command of the Department of the East and lose my command in the front," said I. "And then I think it would not be good politics to relieve General Dix, a New Yorker, from his command, just on the eve of election. Let me suggest that if I am to go I might be sent there with troops enough to take care of the city, and let me report to General Dix, leaving him in command."

"But," said Stanton, "Dix won't do anything. Although brave enough, he is a very timid man about such matters, as he wants to be governor of New York himself one of these days."

"Well," I said, "then send me with directions to report to him to command the troops that are to preserve the peace in the city of New York.[1] But I want to go only upon the understanding that if we come to a row I shall have a confidential order from the President by which I can relieve General Dix at once, and take supreme

[1] See Appendix 85.

command of the fight, if there is one. I will coddle the general and be his obedient servant until it becomes necessary to be something else, and of that you must leave me to judge."

"Very well, but keep the peace with Dix if you can." He then asked what troops I wanted, and I said: —

"A couple of batteries of artillery, say twelve pieces, and about three thousand men will be enough, but a larger show of force may be better for overawing an outbreak."

"I suppose you will want your Massachusetts troops sent."

"Oh," said I, "not Massachusetts men to shoot down New Yorkers; that won't do. I have as faithful, loyal, good soldiers in my New York regiments as there are in the world, and I can fully rely on them. Perhaps I will take a Connecticut regiment or two and select the batteries."

"Do you think there are enough?"

"Plenty, with the addition of my headquarters guard of Pennsylvanians, who have already voted in the field."

"Make out your list of troops," said he, "and I will have them sent." [1]

"Well," I said, "you cannot get them there under a few days at best, and, Mr. Secretary, see; I have just come from the field in a flannel blouse with my staff in the same condition. We have not a white shirt with us."

"Never mind that, General; there are plenty of tailors in New York."

"Very well, Mr. Secretary, I want a new uniform, and if you order me off in this condition of rig I shall put it in the bill. When do you want me to go?"

"By the next train."

"As the troops cannot get there for three days, you will permit me to have my headquarters guard sent to Fortress Monroe to meet my own very fast boat, and come up and bring some of my staff to me?"

"Oh, yes; order anything you like."

"All right, I am gone;" and I left Washington for New York that night.

Our appearance there in Washington was such that it did not draw any attention to us, so that it was not publicly known that I

[1] See Appendix 86

was in Washington, and no notice of my being there got into the New York papers.

I arrived in Jersey City the next morning and was met there by a prominent loyal man of New York, one of Stanton's correspondents, who greeted me and desired me to make his house — a very fine one on Fifth Avenue — my headquarters while I remained in the city.

I said to him: —

"You know not what you ask. I will come down and dine with you, but to come into your house with my staff and orderlies, and the hundreds of people who may be brought there or visit me would drive you from your home. Besides, I must have very much more extensive accommodations."

I had telegraphed to Assistant Quartermaster-General Van Vliet to meet me there, and he told me that he had looked about for headquarters for me. He said that the Hoffman House, in the rear part of which General Scott had rooms, had not yet been opened, and that he had taken the whole of the building for my use.

Early in the morning of the 4th of November I occupied my headquarters. As the first incident I learned that one Judge Henry Clay Dean, in utter ignorance that I was at that time in New York, had made a speech the night before in which, according to a newspaper report, he stated that if I should attempt to march up Broadway I would be hanged to a lamp-post, or words to that effect. Although I had no troops in New York then except my orderlies and aids, I sent my compliments to Judge Dean with the information that I would like to see him at my headquarters at the Hoffman House. He reported at once, and I received him. He seemed to be in a great fright. I greeted him and told him that such a speech had been brought to my attention, and as I was sure that a gentleman of his position never could have made it in the words reported, I desired to ascertain the facts from him.

He said he had been wholly misrepresented.

"Well," I said, "I supposed so, and I rely upon you to correct that matter by having the report withdrawn, or, if that cannot be done, by making some explanatory statement." He said he certainly would, and there the matter ended.

I then reported to the commander of the Department of the East, General Dix, and he issued an order that I was in command of the troops sent to preserve the peace in the State of New York.

I suggested to him that he should put me in command of the military district comprising the States of New York and New Jersey, as he had command of the whole department, but he expressed a disinclination so to do, and I, after a conference, yielded and said I would report to the Secretary of War for orders, but that I hoped it would not be necessary. I asked him how many regulars could be spared from the garrison on Governor's Island. He said he thought he could let me have five hundred men. I told him they might as well remain in the garrison as anywhere.

I had been expressly cautioned by the Secretary of War against the machinations of Gen. John A. Green.

Monday my headquarters boat came up with my guard, one hundred Pennsylvanians. They were landed at the battery, and put into barracks there.

That day Major-General Sanford, commanding the division of State militia in the city of New York, called upon me and said that he proposed on the day of election to call out his division of militia to preserve the peace. I told him that that could not be done without his reporting to me as his superior officer; that being assigned to the command of the troops in the city of New York by the President, I of necessity became his commander; and, further, that the Articles of War required that I should be his commander. Of course a militia officer could not agree to that. I then told him that I did not need his division, and that I did not think it would be advisable to have the militia called out; that if they were called out they would be under arms, and in case of difficulty it was not quite certain which way all of them would shoot; and besides, it might cause a claim of interference with the election to have troops called out and hold positions while the election was going on, and thus might vitiate the election.

He was very obstinate about it, and said he should call out the militia.

"Then," said I, "here is an order that you do not. You have no power to call out the militia except in a case of disturbance." Still he did not yield.

"Well," I said, "if there are to be armed forces here that do not report to me, and are not under my orders, I shall have to treat them as enemies. In case of disturbance they may suffer, for I cannot stop to select whom to shoot at of the armed troops which I find in New York not under my orders; but I certainly shall most efficiently take care of those who put them in arms."

He told me he should apply to the governor of the State for orders.

"Your governor is a very high militia officer," said I, "but I shall not recognize his authority here as against the authority of the United States any more than that of any militia officer of lower grade. And from the reported doings of Governor Seymour in the centre of the State in organizing new companies of militia, which I believe to be a rebellious organization, I may find it necessary to act promptly in arresting all those whom I know are proposing to disturb the peace here on election day."

He retired in disgust, and I have never seen the clever old gentleman since. It is sufficient to say that I at once took measures to ascertain where all the arms in the city were, and in whose possession they were.[1] I immediately reported the matter to the Secretary of War,[2] and asked permission to issue a general order on the subject, and to have a territorial jurisdiction given me. The Secretary of War afterwards advised me that I had better not issue a general order, because my right to do that would be the subject of "abstract discussion." But I wanted territorial jurisdiction, not so much for that as for another reason which will appear.

Meanwhile my troops had not arrived. They were not embarked at Fortress Monroe — such were the unaccountable delays — until Friday and Saturday. I then issued my General Order No 1,[1] in which I made it plain that there were several thousand secessionists in New York. They were there in such numbers as to impede the Union men getting lodgings and boarding-house accommodations, the landlords saying that they could let all the room they had to Southerners at their own prices. I took care that the Southerners should understand that means would be taken for their identification, and that whoever of them should vote would be dealt with in such a manner as to make them uncomfortable. That was sufficient, and substantially no Southerners voted at the polls on election day.

[1] See Appendix No. 87. [2] See Appendix No. 88. [3] See Appendix No. 89.

Here another question troubled me. Although it had been thought best to have a pretty large force, say five thousand, yet I did not get thirty-five hundred. Much the larger portion of them were New Yorkers who had voted in the field. I consulted with Gen. Daniel Butterfield, who was in New York on leave for some purpose, and he loyally gave me very valuable advice and assistance, for which service I here express my high and grateful appreciation.

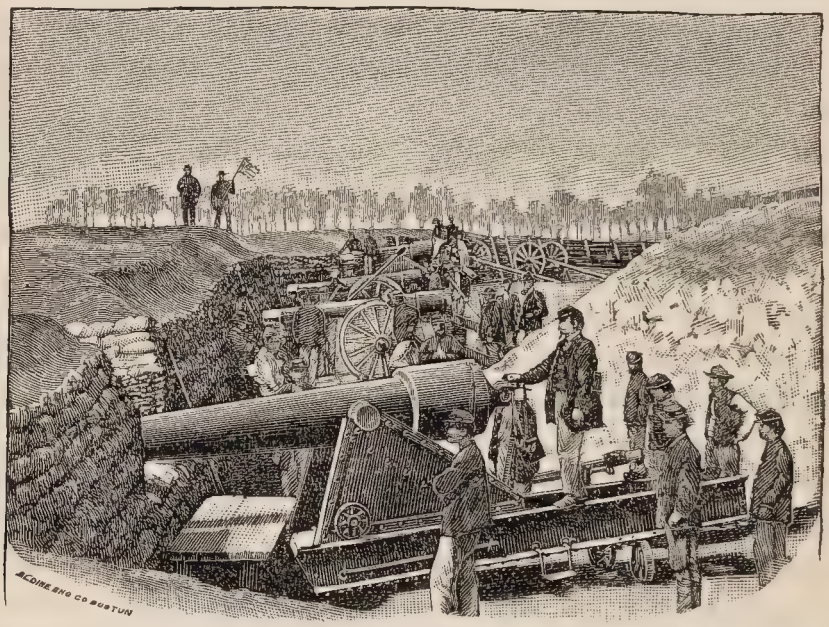
The question was, how to have troops in readiness to put down a riot in the city on election day, and yet not have them actually there, lest the votes which they had previously cast in the field should not be counted, — for the law was that troops might vote in the field, but if they were in the State on election day their votes should not be counted.

Examining into the difficulties of this problem, I found that there were nine ferry slips on one side of the city of New York and ten on the other. Into these the largest ferry-boats could be brought to land their passengers. The ferry-boats could each comfortably accommodate more than a regiment of infantry in the saloons, and in the drive-ways as many as four pieces of artillery with their equipment. I determined thereupon to take possession of four of the larger ferry-boats, and place two on the North River and two on the east side of the city. It was arranged to have on each side of the city four swift tugs always with steam up and under the command of my officers. From my headquarters I could communicate with them by the telegraph lines, so that in case of a gathering of rioters in any part of the city I could throw four regiments there, if need be, in less time than I could march them from any place of encampment in the city. That is, the troops being on the ferry-boats and the artillery being all harnessed, I could direct the boat to any slip where the force was needed, and the infantry could immediately land and march double quick across the island to the point where it was needed, the artillery preceding or following, as the case might be. These ferry-boats, while not in action, were to be anchored in Jersey waters.

I made an arrangement with the manager of the Western Union Telegraph Company to bring into a room at my headquarters adjoining my office telegraph lines from more than sixty points. There

was one line from High Bridge, where a gunboat was stationed, lest somebody should attempt to break the aqueduct which brought water into the city. There was another line from a gunboat anchored opposite Mackerelville, which was supposed to contain the worst population in New York; and still another from a gunboat anchored so as to cover the Sub-Treasury Building and the Custom House on Wall Street and the United States Arsenal. There was a line from some point near each polling-place in the city.

At the several polling-places I had an officer in plain clothes, in command of my scouts and detective officers who were around the



FORT BRADY, BATTERY COMMANDING JAMES RIVER.

polls. On this officer, in case of any disturbance, the police — who were under the command of Superintendent John A. Kennedy, a very loyal, able, and executive officer,— might call for assistance. Any disturbance was to be immediately communicated to me by telegraph.

On the day of election the officers and men for the polls were to be on duty an hour before the polls opened. Each telegraphic station was numbered, and the officer was to report to my headquarters hourly the state of quiet at the polls.

The remainder of my troops were held on board of transports, ready to land when the point at which they were wanted was indi-

cated by the tug. Steam was kept up and the cables were in readiness to be slipped when the transports were required to move.

At the request of General Dix, instead of bringing my headquarters guard up for my protection, I sent them to guard the United States Arsenal, under command of Captain Crispin, the commandant of the arsenal.

It is but just to say that the number of my troops lying around in transports and ferry-boats was enormously over-estimated as usual; they were understood to be fifteen thousand.

On Thursday evening, it having been generally circulated in the city that General Butler had shut himself up in his headquarters and dared not show himself lest he should be assassinated, I sent an officer of my staff to take a stage-box for us at the opera, having got a new uniform so that I could go in full feather. We appeared there, and were received with some applause, which I acknowledged. I sat out the entertainment. Between the acts Captain DeKay of my staff, who was a society man in New York, left the box to visit one wherein he saw his aunt, and found therein Mr. August Belmont. Mr. Belmont made a statement publicly in his hearing that he would bet a thousand dollars that the election would go for McClellan, and another thousand that gold would go up to 300 by the morning of election. This being reported to me, I told Captain DeKay to say to Mr. Belmont that those bets would be taken; but Mr. Belmont declined.

Friday morning, having a little leisure while waiting for my troops, at the invitation of a gentleman in New York I concluded to take a ride with my staff in Central Park. I said to my staff: "We must go in our camp rig." They remonstrated, because our horses, upon which were still their rawhide saddles, had been very badly bruised on their hips and thighs, and their tails had been badly defaced, in the voyage on the boat, she having met bad weather at sea.

We were a most *outré* looking set. No such equipped cavalcade ever rode along those beautifully ornamented paths before. If it had not been for our well-blacked cavalry boots, and our wicked-looking sabres clanking against the spur and stirrup, and the neatly cased revolvers fast to the belt on the left side, I think we might have been stopped by the police. As it was, we were the observed of all observers, and it shone out in their eyes: "Is this the pomp

and circumstance of glorious war?" We were met by the Park Commissioners, the chairman of whom cordially addressed me with the inquiry: "Are you riding in the park for exercise?"

"Oh, no, Mr. Commissioner; on business. I was looking to see where would be the best place in the park to encamp my troops when I am ready to bring them on shore."

"Oh, you would not encamp your troops here, General?"

"Why, Mr. Commissioner," said I, pointing over one of the beautiful lawns, "I have never seen a better camping-ground. What is the objection to it? Plenty of water, isn't there?"

"Well, General," said he, "we must submit, I suppose; but I hope you won't need to."

"Oh, well, I assure you I shall not if I don't need to. I should be happy to see you, gentlemen, at my headquarters at the Hoffman House. Good-morning."

The next afternoon another sphere of duty quite foreign to my professional studies and military experiences was put upon me. I received a message from Mr. John A. Stewart, United States Assistant Treasurer in New York, asking for an interview.[1] I immediately appointed an interview at my headquarters at the Hoffman House that evening. Mr. Stewart called upon me and said: —

"General, I have just returned from Washington, where I have been on very important public matters. I have had an interview with the President and Cabinet and asked them what I could do under the circumstances, if anything, and what they could do in the alarming prospect of affairs. I stated to them, in substance, that I was well informed that a conspiracy was going on among certain brokers and bankers, whose names I gave them, together with the amount of gold transactions of each accompanied by actual deliveries, which were quite enormous. I stated that these men had conspired together with some others, whom I did not know, to raise the price of gold to 300 on election day certainly, and perhaps on Monday. I also told the President and Cabinet that I was powerless to prevent the rise in the price of gold, for I had sold a good deal of gold in order to keep the price down, and in that manner had reduced the amount I held so low that I feared the conspirators had an amount of gold securities due on demand sufficient to swallow up

[1] See Appendix No. 90.

more than all the gold I would have left if I should sell any more for the purpose of keeping the premium down. Should I do so, and should they make such large demands, it would bankrupt my treasury, and would of itself throw the price of gold no one knows how high. A long consultation was had upon these subjects, and nobody could suggest anything that could be done, or give me any direction or authority how to act. At last the President said: 'The only thing I see that you can do is this: General Butler is in New York in command. I don't see exactly what he can do, but if anything can be done, he is the only man to do it, and I wish he would do anything that he believes will be for the benefit of the country. Say this from me to him.' "

I said to him: "Mr. Treasurer, what can I do? I have got no gold with which to 'bear' the market. It would be a very dangerous experiment to arrest all these men, even if I had the power, and it might give cause for an *emeute* at election time, which might not otherwise occur. This is rather a ticklish business. It is evident that the large amount of gold that has been thrown upon the market is Confederate gold. Do you know where any of it came from?"

"Yes," he said, "there has been a good deal sent from Canada."

"That may be English gold," I said.

"I cannot say whether it is or not."

"Is it sent to one man or many men?"

"It has all been sent," he replied, "from Montreal to the firm of Lyons & Company."

"Well, Mr. Treasurer, it is evident that the Confederates have got an agent here; have you any idea who he may be?"

"I have not," he replied, "unless it is Lyons, for he has bought within a fortnight an amount exceeding twelve million dollars actual gold, and has received it all and sent it out of the country."

I reflected a moment, and said: "Lyons — Lyons of Montreal; I rather guess I know who he is, and if he is the man I think he is, I know he is a Confederate agent. What do you suggest to me to do?"

"Well, General, I cannot suggest anything to be done; I don't know what you can do. It is a condition of difficulties beyond my comprehension of any remedy."

"Well, Mr. Treasurer, if I send to you for any information, please furnish what I want as early as possible. It is evident that I must undertake a new class of study, with not too much time for learning, either. Do these people know the situation of the treasury?"

"I don't think they know it exactly, for if they did I think they would demand their gold securities to be paid, and if they should demand their payment, and if I should let go enough to pay them, that would tend to increase the price of gold."

I said: "I know Belmont has offered to bet that gold will go up to 300 on election day, and he is a pretty cautious man in such matters."

"Well, General," said Stewart, rising, "if you think of anything I can do, let me know, whatever may be the day or hour."

It will easily be supposed that during that night and the next day, Sunday, I gave my most earnest thought to this class of subjects. I came to a conclusion as to what I would try to do. I sent Lieutenant DeKay early in the morning with my carriage to Lyons' house so as to be sure to get hold of him before he should go down town, with directions to give my compliments to Mr. Lyons and ask him to ride with him to my headquarters to see me. I thought he would come, but in case he should not do so willingly I gave Lieutenant DeKay instructions to bring him.

In a few minutes Mr. Lyons was introduced.

"Mr. Lyons," said I, "there are circumstances connected with your being in New York which render it imperative for me to know your history. I suppose I need not say to you that answers to my questions must be truthfully given, because with me when I am examining any person the sin against the Holy Ghost is untruthfulness."

"I will try to answer you as you wish, General," he replied.

"Well, then," I said, "I think there will be no trouble between us. Before the war where did you live, and what was your business?"

"I lived in Louisville, Kentucky, and my business was that of dealing in finance, — a broker, perhaps."

"Had you any connection with the Peoples' Bank of Kentucky?"

"I did business with that bank, and sometimes for it."

"When did you leave Kentucky?"

"I cannot give the date, General, but it was when Governor Morehead was arrested."

"Where did you move yourself and business?"

"To Nashville, Tennessee."

"Did you continue business there?"

"For a little while."

"When and where did you go then?"

"To New Orleans."

"At what time?"

"When Governor Isham left the State and the Union troops occupied Nashville."

"When did you leave New Orleans?"

"When you took possession of the city."

"Were you in the same business there?"

"Yes, sir."

"Were you connected with any banking firm or financial association?"

"Yes, sir; the Citizens' Bank."

"Where did you go then?"

"To Liverpool, England."

"Ho, ho, Mr. Lyons, then I guess we are business acquaintances. Are you the H. J. Lyons who made claim on the Citizens' Bank of New Orleans from Liverpool for a large amount of money?"

"Yes, General."

"And you claimed to have left this money there as a neutral British subject, didn't you?"

Smilingly he replied: "Yes, General."

"And as I remember, you did not get it?"

"No; it was stopped by your order."

"Did you do business for any time in Liverpool?"

"No, sir."

"Where did you go then?"

"I went to Montreal."

"And went into business there?"

"Yes, sir."

"Was not your business there largely with your Confederate friends, — getting their money into Canada?"

"Yes, sir."

"Did you renew, if you had ever broken it off, your connection with the Peoples' Bank in Kentucky?"

"Yes, sir."

"How long did you remain in Montreal?"

"I came here from there in December, last."

"Did you set up your business here in your present firm name?"

"Yes, sir."

"Who came with you?"

"My brother, younger than myself."

"Who are your partners?"

"My brother and Jesse D. Bright, the president of the Jeffersonville Railroad, Indiana."

"How much capital did you have?"

"Eighty thousand dollars in greenbacks."

"Who put it in?"

"My brother and myself put in one half, and Bright put in the other. I put in thirty thousand dollars and my brother ten thousand dollars."

"This has been your place of business ever since?"

"Yes, sir."

"And what is the exact form of your business, that is, what kind of broker's business do you do?"

"General speculating in gold."

"Your business has been very profitable, hasn't it?"

"Quite profitable; yes, sir."

"And have you had any capital furnished you to speculate with besides your own?"

"Oh, yes; my friends and correspondents have sent me very considerable amounts."

"Well, Mr. Lyons, I have been informed," — reading from a paper which I held in my hand, and which the assistant treasurer had given me — "that in the course of the last fourteen days you have bought and paid for and sent out of the country upwards of twelve million dollars in gold, and have now in your actual possession in your vaults, rising three million dollars in gold. Is that so?"

"I cannot give the actual amount from memory," was his answer, "but you are substantially correct."

"Well," I said, "if you have sent away so much gold you must have received a large portion of it from outside.. Your eighty thousand dollars in greenbacks would not have gone a great ways in buying gold at 240. Upon your own statement, and I believe it, you, a young secessionist, left Kentucky after secession to get away from the Union army; and left Tennessee when the other secessionists left there; went to New Orleans and left there as soon as the Union troops arrived; went to Liverpool, and there undertook, as a British neutral subject, to get a large quantity of gold for the use of the Confederates, certainly upon the representation that you had left it there at your own bank, as a neutral British subject. You then came to Montreal, substantially stripped of all your means, and in connection with your brother, and the bitterest Copperhead I know, set up this business of speculating in New York, acting all the time with the Peoples' Bank of Kentucky, which is a financial agent of Jeff Davis. It is difficult to see why, finding you here acting with other conspirators in endeavoring to put up the price of gold in order to interfere with the government, I should not take you and take care of you and punish you under the law for what you are doing and what you have done. How long do you think the clemency of the government will shield you?"

"Then," said he, "I suppose I am to be arrested, General?"

"No, Mr. Lyons; where a man can give as bail three million dollars in gold, — because your gold will never go away until I get through with it and you, — there is no occasion to arrest him. I don't threaten you with arrest; I only say I am going to retain certain gold which I suppose belongs to the Confederacy until I can fully examine into that question. To punish you is not my business now, provided you will aid me in preventing the success of this conspiracy to raise the price of gold to 300. You can do it, and if you will keep gold down until Wednesday morning to not more than 250, — because I am willing you should sell your gold at a little profit, — then I will give you my honor that you shall go where you please and take your gold with you. You will pardon me if I believe that even your clients, the Confederates, won't get much of it, and if the election is determined in favor of Lincoln it is of no consequence where the gold goes afterwards; the country will take care of that. And if he is not elected I have not much interest

where it goes, you see where I stand. I make no threats, but I do tell you if gold goes to 300 on election morning I shall know it, and I shall know also where both you and your gold are."

"General," said he, "have you talked with any of these other men as you have with me?"

"When I have talked with them," said I, "they will put the same question to me, and I shall not answer it in their case. What you want to know of me is whether you can go on and deal with your gold in selling it without their knowing what you know. I think you had better sell your gold. There is no reason why it should go up, because to-morrow will be almost a holiday, and there will be no gold wanted for shipment until Saturday, so that you have an opportunity to take care of yourself if you choose to, or to throw yourself in my face and in that of the government if you choose to. I hope, sir, you will determine this matter wisely for yourself, because your interests and mine lie together."

"I think, General," said he, "I will sell all my gold right off."

"I think that would be wisdom, and I will approve of it; but I would advise you to sell it to be delivered day after to-morrow."

We shook hands and parted, and although I have seen the gentleman since I have never spoken to him on this subject.

I made my report of the condition of affairs to the Secretary of War on the afternoon of the 7th.[1]

Gold did not go higher to any appreciable extent on the morning of election. The price increased toward night and it went for a spurt on Wednesday morning, after it was known that Lincoln was elected, to 260, but immediately receded and never went so high again.

On Monday, the 7th, I received a letter from Hon. Simon Cameron from Pennsylvania, asking what time I could see him, and where we could meet. The only intimation of his business was the statement contained in his letter that Stanton, the Secretary of War, was going on the march, and that I should flank him.[2]

I replied the next day that I would be in New York City certainly until Wednesday, and would be glad to see him at my headquarters.[3]

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[1] See Appendix No. 88. [2] See Appendix No. 91. [3] See Appendix No. 92.

I afterwards received a letter from him dated the 11th of November, stating that he would be in New York on the following Saturday,[1] and I had the honor of a call from him at the time indicated.

He tendered me his congratulations upon our success in keeping the peace on election day, and then informed me that he had means, which I could understand, of knowing that I could be Secretary of War if I would accept the office. He said that there had been so much stress in the campaign put upon Stanton's severity of action toward the rebels that it might be necessary for the pacification of the country to make a change.

I replied to him in substance that I had no reason to change the determination which I had given him in the spring, namely, that I should hold no office except an active command in the army until the war had terminated. I said that the great encomiums I had received had not turned my head or changed my views as to my loyal duty to my country or to myself; that Stanton had loyally stood by me in everything, and that in ordinary gratitude I could not think of taking his place, in any event, until it was certain that he would leave it whether I took it or not; that in that case it was more than doubtful, in view of the opposition of the officers of the regular army under which I was suffering, whether I could do as well as Stanton had done, he having partially overcome a like opposition to himself; that the only change in regard to the treatment of the rebels which the President would get from me would be that I should act more promptly in punishing rebel offenders.

Mr. Cameron said he had had a personal conversation with the President upon this subject, and that he was very sure that he would regret my determination.

I replied to him that when I saw the President I believed that I could convince him that what I was doing was the best for himself and the best for his cause.

Cameron answered: "Well, General, you stick to your text like an old rusty weathercock."

We discussed for a considerable time the political situation and also the condition of the war. I expressed to him my opinion,

[1] See Appendix No. 93.

which I have heretofore given, and in which he then concurred, that the rebel authorities would now see the hopelessness of their carrying the war further, and would soon treat for peace, which they did.

We parted, as always, the best of friends, and he said he would see the President. Soon after this, public rumor, and some of the newspapers, were very active in discussing this topic, and I myself received many letters about it. To none of these did I return a reply, but threw them all aside, save one. My friend, Col. Edward W. Serrell, of New York, wrote me very intelligently upon the matter, expressing the strongest belief that, notwithstanding the opposition of the regular army, I should receive the appointment if it was known in Washington that I would accept it.[1]

Early in the morning of the 8th of November, election day, I despatched trusty officers to each point where dispositions had been made, to keep the peace and to meet violence, if necessary. I remained at my office to receive reports of the occurrences. The remainder of the day, until the polls closed, was monotonously quiet. The sixty lines of wire brought into the room adjoining my office such messages as these, repeated every hour without variation: "All quiet in No. 10;" "All quiet in No. 25," and so on, as the case might be.

The only special matter reported to me was that Mr. Auguste Belmont lost his vote, which was challenged on the ground that he had made a bet on the result of the election, and under that challenge he declined to vote.

It was also reported to me that very few of the Southerners in the city presented themselves at the polls.

That evening until a late hour was hilariously spent in listening to the good news of the election returns, and I went to bed with the reflection that loyalty to law and order had prevailed.

General Grant, expecting a movement at the front, telegraphed the War Department, urging the early return of the troops sent to New York,[2] and they were returned as fast as possible; but in view of the gold conspiracy Stanton desired me personally to remain some days longer.[3]

[1] See Appendix No 94. [2] See Appendix No. 95. [3] See Appendix No. 96.

November 10, General Grant telegraphed a very high compliment to Stanton, at the quiet way in which the elections in New York passed off, as follows: —

> The elections have passed off quietly; no bloodshed or riot throughout the land; is a victory worth more to the country than a battle won. Rebeldom and Europe will construe it so.[1]

On Monday, the 14th, under the direction of a committee of the most distinguished citizens of New York, a reception was given me at the Fifth Avenue Hotel. The scene was brilliant beyond any possible conception of mine, and the reception ended with a banquet at which I was called upon to make a speech, giving to the assembly my opinion as to what should be done in the future, upon which topic, after properly acknowledging my grateful thanks for the reception, among other things I spoke as follows: —

> What is the duty of the government in the present future? War cannot last always; the history of nations shows — the experience of war demonstrates — that war must come to an end. But how? In what way? And war such as this, prosecuted for the purpose of breaking down the power of those opposed to the government and bringing them under the supremacy of its laws, must be terminated either by a reconciliation or by subjugation. In view, therefore, of the unanimity of the American people, in view of the strength, the majesty, the right of the nation, may it not be suggested that now is the time to hold out to the deluded people of the South the olive branch of peace and say to them: "Come back, come back, and leave off feeding on husks, and share with us the fat of the land, and bygones shall be bygones." If bygones are bygones, in one country and under one law we will live in peace hereafter. Are we not able to offer them this now? Are we not strong enough? Do we not stand firmly with unanimity of sentiment enough to offer peace to all if all will submit to the laws? There might have been some complaint, I think, among a proud and chivalrous people that they would not desert their leaders by taking advantage of the unanimous proclamation of President Lincoln. But now when we come to them and say come back, and you shall find the laws the same save so far as they have been altered by the legislative wisdom of the land, both for leaders and followers, can there be any excuse for either if they rebelliously remain in the contempt of the authority of the government? Are

[1] See Appendix No. 95.

we not in a condition now, not taking counsel from our fears or our weakness, but of our strength and magnanimity, again to make such offers of peace and amity in the most beneficent terms and for the last time? By so doing shall we not in the eyes of the world have exhausted all the resources of statesmanship in an offer to restore peace to the country? Who shall hinder their returning, and if they will not come back who shall complain?

Let us not permit the rebel after he has fought as long as he can then, if he chooses, to come back. Let us state some time, perhaps the 8th of January — for the association will be as good as any — for all to lay down their arms and submit to the laws; and when that hour is passed, and every man who shall reject the proffered amity of a great and powerful nation speaking in love, in charity, in kindness, in hope of peace and quiet forever to its rebel sons,— I say then let us meet him or them with sharp, quick, decisive war, which shall bring the Rebellion to an end forever, by the extinguishment of such men wherever they may be found. How is that to be done? Blood and treasure have been poured out without stint or measure, until, taking advantage of the supposed depletion of the treasury, bad men having banded together by speculating in gold, which ought to be the circulating medium, have raised the price of coals upon every poor man's hearth, and the price of bread upon every poor man's table. Let the government take some measure to stop this unholy traffic, and let it be understood that the policy of the government will be, hereafter, to pay no more bounties for the recruitment of soldiers from the taxes of the loyal North. But take counsel from the Roman method of carrying on war and saying to our young men: "Look to the fair fields of the sunny South; they have refused our amity and offers of peace; they have turned away the day of grace; go down there in arms in support of the government, extinguish the rebellion, and you shall have what you conquer in fair division of the lands to each man in pay for his military service. We will open new land offices wherever our army marched, dividing the lands in the rebel States among our soldiers to be theirs and their heirs forever."

A harsh measure, it may be said, but is it not quite as just as to tax ourselves, and thus raise the price of the necessaries of life for the purpose of giving bounty to support the soldier in fighting those rebellious men, whom we have three times over solemnly called to come and enjoy with us the blessings of our liberties and be friends,— saying in 1862, come in June; in 1863, come in December; in 1864, come by the 8th of January, 1865. When the clock strikes the last knell of that parting day, then all hope to those who have not made progress to return should be

put off forever and ever. No longer should they be permitted to live on the land or even within the boundaries of the United States. Let them go to Mexico, to the islands of the sea, or some place that I do not care to name,— because I know no land bad enough to be cursed with their presence — but never to live here again.

At the close of my speech the Rev. Henry Ward Beecher was called upon to address the assemblage, which he did in his peculiar way, expressing high consideration for myself, and in the course of his remarks he named me as a possible candidate for the presidency in 1868.

The proceedings were interlarded with toasts, and among others there was one by Gen. Prosper M. Wetmore of my possible candidature.

While all this was sufficiently laudatory, yet to me it was one of the most unhappy and unfortunate occurrences of my life, and it was my own fault that it was so. I only looked upon it as the effervescence of the champagne of the hour, and paid no attention to it as a sober announcement of such possible candidature. Otherwise I cannot account for my not having had wit or wisdom enough to interpose another little speech in which I could have taken the sting all out of it. I should have been wise enough to have said something in substance like this: Gentlemen, you honor me overmuch by your high consideration. The place you name is not due to me. You should have put forward, in my judgment, one whom I should feel honored to support — the lieutenant-general of the army who has carried us through the memorable events of the late campaign with such success and brilliancy and genius of effort — General Grant, who ought to be our next candidate for the presidency when Lincoln retires, and who no doubt will be called by a grateful country to that post.

If I had had brains enough to say that, the sting would have been taken out of the whole affair; nay more, I could have been put in command of the Army of the Potomac if I wished.

## CHAPTER XVII.

## FORT FISHER.

EARLY in September it was proposed to me by General Grant that I should send down General Weitzel, with Brigadier-General Graham of the naval brigade, to reconnoitre the position of Fort Fisher, and that I should act in conjunction with a fleet which was being prepared by the navy. General Weitzel was accordingly sent down to make that reconnoissance. About the 20th of September, as I remember, he returned and reported the condition of things there.

On the 29th of September, the Army of the James made a march across the river, which resulted in the capture of Battery Harrison and the line that we subsequently occupied on the north bank of the James until the surrender of Richmond in April, 1865. It was from this line that the negro troops under Weitzel marched and took possession of the rebel capital. This movement across the James required all the force I had. General Grant said to me that we could not go on the Wilmington expedition at that time for two reasons. The first of these was the want of disposable forces, although at that time it was not contemplated to send down but about three thousand men, as it was supposed that Fort Fisher could be taken by a surprise. The second and perhaps the more cogent reason was that the fleet had given great notice by its preparation; the ships had gathered at Hampton Roads, and published that they had the largest armament in the world, and were going to take Wilmington. This seemed to cut off all hope of surprise. General Grant then said to me that he would not have anything to do with it, to use his exact phrase, because he could not afford an army for a siege, and he supposed the purpose for which the fleet was getting ready was so far known to everybody that there could be no surprise.

From the 20th of September to the 7th of October the navy gathered a fleet at Hampton Roads, and was practising there. The vessels lay there from that time till the middle of December.

In that time, after hearing of the great destruction for many miles around made by an explosion of gunpowder at Erith, England, I made an examination into the various instances of the explosive effect of large quantities of powder; and I believed that possibly, by bringing within four or five hundred yards of Fort Fisher a large mass of explosives, and firing the whole in every part at the same moment — for it was the essence of the experiment to have the powder all exploded at the same instant — the garrison would at least be so far paralyzed as to enable, by a prompt landing of men, a seizure of the fort.

I went to Fortress Monroe to examine the details of that question among others. While there I received on November 1 a telegram to report at once to Washington, and on reaching there found that I was to be sent to New York to take charge of the city during the election. While at Washington I suggested the powder experiment to the President, to the Assistant Secretary of the Navy, and I think to General Halleck. It was readily embraced by the Secretary of the Navy and with more caution by the President. Further investigation was suggested, and I left the matter in the hands of the navy, and on November 2 went to New York.

When I returned on the 16th of November I found that the idea had received so much favor at Washington that it was determined it should be tried. One consideration which determined the making of the attempt was that if it should prove a success the whole system of offensive warfare by naval procedure would be changed, for no forts near harbors would be safe if a small vessel loaded with gunpowder and run ashore under a fort and exploded would destroy the people in it, and no garrison would ever remain in a fort when such a vessel was seen approaching.

The experiment was well worth trying on another account. The navy had storehouses for more than five thousand barrels of powder in a place, near many of our large cities. Of course, as at Erith, which was one of the English government storehouses, it would only be a question of time when some of those deposits of powder would be exploded either by design, carelessness, or accident. What the

effect of such an explosion would be was a question which seemed very necessary to be solved in order to determine the safety of the neighboring cities. The Naval Ordnance Bureau had many reports recommending the removal of the powder so stored lest damage might ensue, but those reports had never been acted upon by Congress. On this account also it was thought best to test the question.[1]

The powder used at Fort Fisher was navy cannon powder, each grain of which is nearly an inch cube, in order that it may burn slowly, so as not to burst the guns.

A commission of naval experts was appointed to examine the subject in behalf of the Navy Department, before whom I was not called. The navy was to furnish a vessel and one hundred and fifty tons of powder. The army at first agreed to furnish one hundred tons of powder and afterwards fifty tons more. A part of this amount was partially damaged powder, all that the army had; and the rest was made up by purchasing blasting powder.

I immediately left Washington, h[illegible]ing nothing further to do with this matter, the navy undertaking to see that the powder was properly placed and exploded, and went to my headquarters at the front.

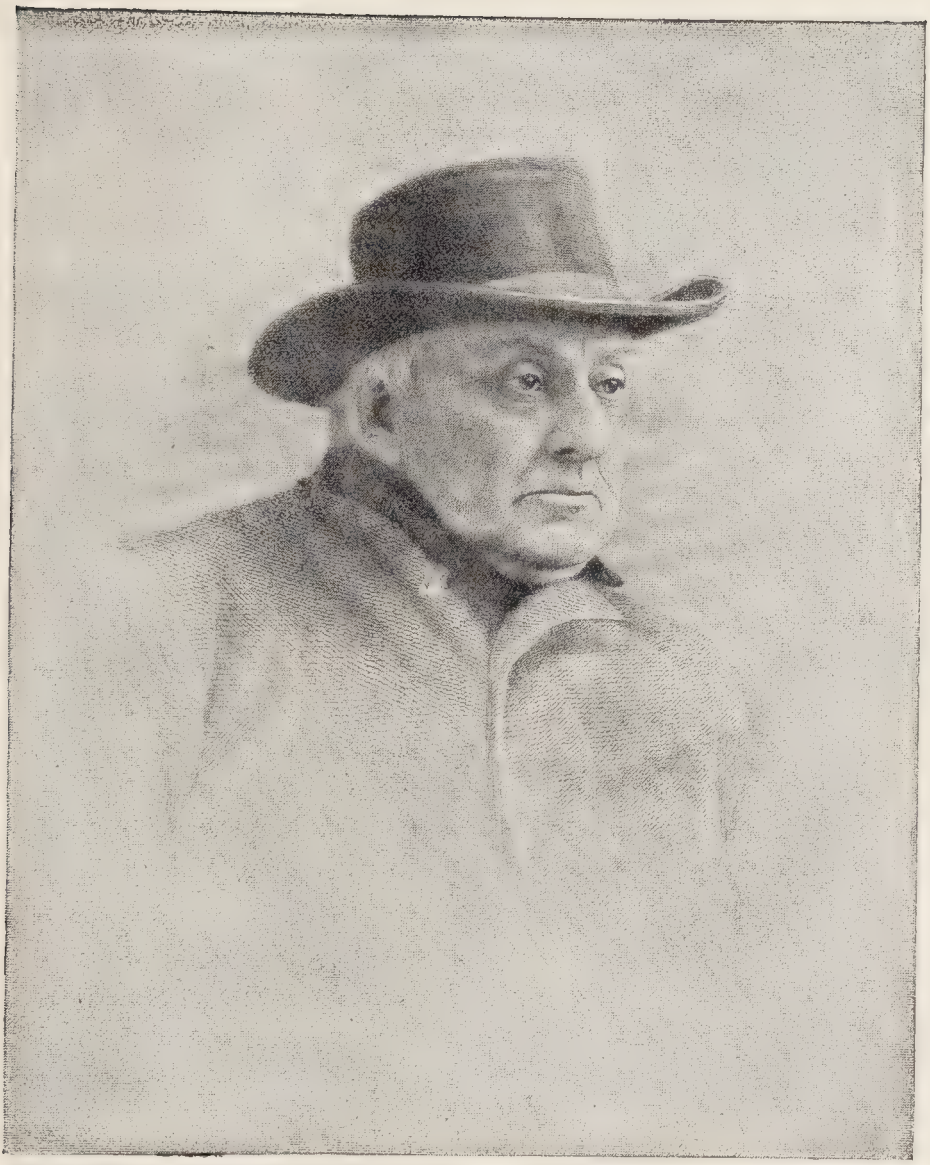
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[1] No great amount of powder had ever been exploded. The largest known to me at that time was at Erith, where there was only 1,040 barrels of powder, all of which was not exploded, and that was by three distinct explosions Since then, on June 16, 1887, the schooner Parallel, having on board a general cargo, including forty-two tons of giant powder, drifted ashore hard and fast in the Golden Gate below the Cliff House, when, without premonition, there was a terrific explosion, followed a second later by another which seemed to shake the very foundations of the earth. Not a stick of the vessel was to be seen, while debris of the wreck and pieces of iron were scattered about the country for three-quarters of a mile in every direction. The Cliff House, a very large summer hotel, situated on the top of a hill a hundred yards away and a hundred and fifty feet above the sea level, not only was thrown on its side but the wreck was entirely crushed in like card-board. An immense wave, weighing tons, was lifted in the air and carried over the top of the house. Every window and door in the house was shattered into kindling, and the foundations of the building were crushed so as to be unsafe. A two-story cottage of large size, occupied as a private residence, two hundred feet further inland, was blown bodily off its foundations and moved five feet further from the sea. The adjacent stables, two hundred feet long, were utterly demolished, not a single stick being left standing. The shock was felt for many miles.

During the year in which this note was written there was an explosion in Italy of not a very much larger amount of powder than that exploded at Erith, and it caused very widely extended and disastrous damage and loss of life.

Neither of these explosions was instantaneous, but there were consecutive explosions. What would be the effect of an instantaneous explosion of like quantities of powder or dynamite is still left to conjecture.

I write this note with a view to having action taken that no large amounts of powder shall be stored in the vicinity of populous cities, and in order that municipal authorities may have their attention called to the matter. But what is everybody's business is nobody's until a great disaster is realized.



Gilman Marston

Upon my return General Grant left the command to go to Burlington, N. J., to visit his family, leaving me as senior officer in command of both armies until he returned on the 24th of November. I fix the date of his return by the following telegram to the Secretary of War, which was the last telegram I sent while in command of both armies: —

HEADQUARTERS ARMY OF THE JAMES,
NOV. 24, 1864, 11.30 P. M.

HON. E. M. STANTON, SECRETARY OF WAR:

In the absence of Lieutenant-General Grant, I have to report to you that the battery and cavalry horses are suffering for hay, and the government is losing large sums in the depreciation of these horses from this cause. For this there can be no excuse, as there is hay enough in the country. It can only arise from inexcusable remissness somewhere, which needs but to be brought to your attention to be remedied.

BENJ. F. BUTLER,
*Major-General Commanding.*

During General Grant's absence I was informed that the navy had adopted my plan, and the vessel to contain the powder was being got ready by the navy, which was to furnish one hundred and fifty tons of powder at Fortress Monroe. Later I received in answer to a telegram which I had sent General Dyer, chief of ordnance, a message that the army would also furnish one hundred and fifty tons of powder at Fortress Monroe.[1]

General Grant had then returned. From information received it was supposed that the garrison at Wilmington and all the forces about Wilmington, except a small garrison at Fort Fisher, had been detached to meet General Sherman. Thereupon, after a consultation, General Grant desired me to do two things. One was to send an expedition up the Roanoke River and endeavor to reach the railroad between Weldon and Wilmington, so as to cut off supplies and reinforcements from the enemy going north to Petersburg and Richmond, and also to prevent reinforcements being sent by the Weldon Road to Wilmington in case we moved in that direction. The other was to get a force to be sent down to see if we could not effect a surprise at Wilmington, as it seemed evident that the

[1] See Appendix No. 97.

enemy supposed the expedition gotten up early in the fall had been abandoned. This expedition up the Roanoke was to be a link in the chain of operations, and was to be made in conjunction with the navy. I sent a despatch to Admiral Porter about the Roanoke expedition.[1] On the same day, the 30th of November, I received a telegram from General Grant urging the importance of Weitzel's getting off at once with the expedition.[2]

I had gone to Fortress Monroe and had a personal consultation with the admiral upon the Roanoke expedition after my consultation with General Grant. I answered his telegram by repairing to City Point in person to get further instructions from General Grant. They were that we should move as soon as the navy was ready.

Matters remained in that condition until the 4th of December. On that day I received a telegram from General Grant urging me to hurry off the expedition either with or without the powder-boat.[3] On the same day I telegraphed to Admiral Porter to hasten operations, as news which I had received made time of great importance.[4]

On the same day, also, I received word from Admiral Porter that the navy was ready for the one hundred and fifty tons of powder, and asking me to have it packed ready for them.[5] On the 5th of December I telegraphed to Captain Edson, ordnance officer, to have the powder ready at once,[6] and on the same day I received word[7] from Admiral Porter that he was all ready and would call on the ordnance officer for the material, which he got. On the 6th of December, hearing nothing further, I telegraphed to Admiral Porter asking him when he could be ready,[8] and received an answer informing me that he had got most of his ammunition, meaning the powder with which to fill the powder-boat, and would commence loading the next day, when he could tell me within an hour when he would be ready to start.[9]

It will thus be seen that Admiral Porter promised to notify me on the morning of the 7th of December. I had to make all my arrangements by verbal instructions and orders. On the 6th of December I issued, through my chief of staff, Brigadier-General Turner, the instructions intended for the expedition as follows: —

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[1] See Appendix No. 98.
[2] See Appendix No. 99.
[3] See Appendix No. 100.
[4] See Appendix No. 101.
[5] See Appendix No. 102.
[6] See Appendix No. 103.
[7] See Appendix No. 104.
[8] See Appendix No. 105.
[9] See Appendix No. 106.

HEADQUARTERS DEPARTMENT OF VIRGINIA AND
NORTH CAROLINA, ARMY OF THE JAMES,
IN THE FIELD, Dec. 6, 1864.

MAJ.-GEN. G. WEITZEL COMMANDING:

*General:*—The major-general commanding has entrusted you with the command of the expedition about to embark for the North Carolina coast. It will consist of about sixty-five hundred infantry, two batteries of artillery, and fifty cavalry. The effective men of General Ames' division of the Twenty-Fourth Corps will furnish the infantry force. General Paine is under your orders, and General Ames will be ordered to report to you in person immediately.

You will confer with these officers and arrange details; instruct them to select their best men, making your force about sixty-five hundred men. The chief of artillery in conference with you will designate the artillery to be taken. The horses of the batteries, except one horse for each officer and chief of piece, will be left. Take one set of wheel harness. Fifty men of the Massachusetts cavalry will be ordered to report to you. Forty ambulances (two horse), with the necessary medical stores, have been selected for the expedition, which will be distributed on at least two boats. Take sixty rounds of ammunition for the men, one hundred rounds in boxes, to be distributed through the fleet. If your division trains do not furnish the necessary amount, the balance required will be furnished by the chief of ordnance at the point of embarkation. Three hundred rounds of artillery ammunition per gun will be taken. So much of it as is not contained in limber boxes and caissons will be loaded in boxes at the point of embarkation. Let each regiment draw and take with it on transport five days' rations, three days' cooked meats; twenty days' additional will be taken in at Fortress Monroe, distributing it through the fleet. Field rations only will be taken. Two pack-mules for division and brigade headquarters will be allowed. Mounted officers will take but one horse for personal use.

The chief quartermaster has been instructed to furnish one hundred and fifty mule harnesses. It is expected to obtain the animals from the enemy's country. The chief quartermaster will also furnish a party of wharf builders and a small amount of material for landing, etc. Thirty launches will be taken on board at Fortress Monroe. The chief signal officer has been instructed to order signal officers and men to report to you. Lieutenant Parson, with a company of engineer soldiers, will report to you. Five hundred shovels, two hundred and fifty axes, and one hundred picks have been prepared. It is expected that the necessary transportation will be ready to-morrow at Deep Bottom.

You will report in person to the major-general commanding for further instructions.

I am, very respectfully, your obedient servant,

JOHN W. TURNER,
*Brigadier-General and Chief of Staff*

[Indorsement.]

Respectfully forwarded to Lieutenant-General Grant for his information, and with the earnest request that he will make any suggestion that may occur to him in aid of the enterprise.

BENJ. F. BUTLER,
*Major-General Commanding.*

On the same day I received the first written instructions from General Grant as follows: —

HEADQUARTERS ARMIES OF THE UNITED STATES,
CITY POINT, Dec. 6, 1864.

BENJ. F. BUTLER, MAJOR-GENERAL COMMANDING:

*General:*—The first object of the expedition under General Weitzel is to close to the enemy the port of Wilmington. If successful in this, the second will be the capture of Wilmington itself. There are reasonable grounds to hope for success if advantage can be taken of the absence of a great part of the enemy's forces now looking after Sherman in Georgia. The directions you have given for the number and equipment of the expedition are all right, except in the unimportant one of where they embark and the amount of intrenching tools to be taken. The object of the expedition will be gained on effecting a landing on the mainland between Cape Fear River and the Atlantic, north of the north entrance to the river. Should such landing be effected, whether the enemy hold Fort Fisher or the batteries guarding the entrance to the river there, the troops should intrench themselves, and by co-operation with the navy effect the reduction and capture of those places. These in our hands, the navy could enter the harbor, and the port of Wilmington would be sealed. Should Fort Fisher and the point of land on which it is built fall into the hands of our troops immediately on landing, it will be worth the attempt to capture Wilmington by a forced march and surprise.

If time is consumed in gaining the first object of the expedition, the second will become a matter of after consideration. The details for the execution are intrusted *to you* and the officers immediately in command

of the troops. Should the troops under General Weitzel fail to effect a landing at or near Fort Fisher, they will be returned to the army operating against Richmond without delay.

U. S. Grant,

*Lieutenant-General.*

By personal arrangement with Grant at City Point at his headquarters, as I went down the river on my way to Fortress Monroe to make final preparations for the expedition, I was to go in its command for a reason which was agreed upon between us in the consultation. The reason was this, that General Weitzel, while a very able general, was quite a young man, and I was very anxious to see this powder expedition go on and succeed, for it was a very grave one.

"I think," said I, "I had better go with the expedition so as to take the responsibility off General Weitzel, as I am an older officer."

To this General Grant assented.

"We shall want," I continued, "an intelligent report of the work around Wilmington, and of the effect of this expedition. Give me your best engineer officer for that purpose. Give me Comstock."

"Certainly, General," he replied, "and any other of my staff that you think will aid you, for we are not doing anything here."

General Grant immediately ordered Colonel Comstock to report to me, and in obedience to that order Comstock went down to Fortress Monroe with me on my boat that evening (the 8th). He was with me all the time, and made a report upon the action of the experiment.

It was further understood that *I was to stay until General Weitzel successfully effected a landing;* and then I was to determine whether there should be a dash made on Wilmington, and go as far as that if necessary, and then come back to my command of the Army of the James. In consequence of this arrangement I took almost my whole staff with me, and also my horses and other means of moving across the country. I went to Fortress Monroe on the evening of the 8th of December. The transportation for the expedition was to be furnished by General Ingalls, General Grant's chief quartermaster.

On the 6th I had moved the troops for this expedition out of the trenches, and got them ready to embark. I fix the date by a telegram from General Terry to General Turner, my chief of staff.[1]

[1] See Appendix No. 107.

On the same day I received a telegram requiring me to mass the troops that I had gathered for the expedition, and to stand ready to aid General Grant in a movement that he proposed to make, and to blow out Dutch Gap Canal[1]. I answered at once that orders had been given to carry out these instructions.

On the 7th of December my chief of staff received a telegram from my quartermaster, Colonel Dodge, that he could furnish certain meagre transportation.[2] This showed me that the transportation furnished by General Grant's quartermaster was deficient, for four of the largest boats were behind on that date, and it will also show who, if anybody in the army, was delaying the expedition at that time. My troops were ready on the 6th.

On the 7th, also, I received the following from General Grant in relation to the instructions I had issued, a copy of which had been forwarded to him for his approval: —

HEADQUARTERS ARMIES OF THE U. S.,
CITY POINT, VA., Dec. 7, 1864.

MAJOR-GENERAL B. F. BUTLER,
COMMANDING ARMY OF THE JAMES:

I had sent you a cipher despatch before receiving your instructions to General Weitzel. I think it advisable that all embarkation should take place at Bermuda. The number of intrenching tools I think should be increased three or four times.

U. S. GRANT,
*Lieutenant-General.*

The number of intrenching tools was increased. To get additional transportation I sent word to Colonel Dodge that the Baltic was at Annapolis, and could be had.[3] That fact I knew because the Baltic had reported to me at Annapolis with released prisoners. Receiving information from Colonel Dodge in the evening of December 7, that he was now fully prepared to ship the troops, I telegraphed General Grant that General Weitzel's command was encamped at Signal Tower awaiting orders, and that Porter would be ready the next day.[4] On the same day I received a despatch from General Grant instructing me to let Weitzel get off as soon as possible, and stating that he did not want the navy to wait an hour.[5] I trans-

[1] See Appendix No. 108. [2] See Appendix No. 109. [3] See Appendix No. 110.
[4] See Appendix No. 111. [5] See Appendix No. 112.

mitted that order to General Weitzel on the date of its receipt,[1] and on the 8th of December at 9.15 A. M. I received a telegram from him stating that he was at Bermuda embarking his troops.[2] We took out one steamer at Fortress Monroe to make out our complement of transportation.

On the night of the 8th of December, I took Lieutenant-Colonel Comstock on board my boat, shook hands with General Grant, and said: "Now, we will get off as soon as we can." I went down the river and met Admiral Porter on the morning of the 9th, stating that we were ready to proceed. He said that the powder vessel was not quite ready, but it would be ready directly; and he said that at any rate it would not be advisable to go to sea in the state of the weather then.

On Saturday afternoon, December 10, I asked Colonel Comstock and General Weitzel to go with me to Norfolk to see Admiral Porter on board his flag-ship. The conversation with Porter related mostly to the powder-boat and the time when it would be ready. Both Comstock and myself told Porter that haste was necessary, and that probably it would be better to dispense with the powder vessels rather than to delay and give the enemy a chance to send down reinforcements; that the enemy, having made a reconnoissance of my position that morning, might have discovered that some of our troops had been withdrawn, and knowing that the expedition had been contemplated would probably guess its destination. The admiral said he was hurrying up the putting of the powder on board as much as he could. We then discussed the weather, which looked unfavorable, and I telegraphed General Grant that the army was ready, and was waiting for the navy.[3]

On the next Monday evening the fleet not having yet sailed, I ordered nearly all the transports to move up Chesapeake Bay to the Potomac River and Matthias Point, and then if they could, to return in the night-time and anchor off Cape Henry. They were started at 3 o'clock on the morning of Tuesday the 13th. We knew the enemy continually kept scouts in Northumberland County, Va., at the mouth of the Potomac, to report every transport that passed up and down the bay, in fact, everything that occurred there. We had frequently seen their reports in the Richmond papers. I ordered the

[1] See Appendix No. 113. [2] See Appendix No. 114. [3] See Appendix No. 115.

fleet to go up the bay that they might be reported to the enemy as going up the Potomac. Then, after dark, they were to come down the bay again with all lights put out, and thus deceive the enemy as to our movements.

Early on the morning of Wednesday, the 14th, a steamer came in from the Department of the South and reported the sea to be very smooth outside. We at once started the transports already anchored off Cape Henry, and put out to sea. There was no vessel of Admiral Porter's in Hampton Roads when we left.[1] It was arranged that we should meet the naval fleet twenty-five miles off New Inlet.[2] But in order not to arouse any suspicion in regard to Wilmington, and in order that, if it became necessary, we might land at Masonboro' Inlet, which is eighteen miles above Fort Fisher, my fleet was ordered to rendezvous and did rendezvous off Masonboro' Inlet, but far out at sea that they might not be seen. Admiral Porter was notified of this, so that he understood it.

My transport fleet arrived off Masonboro' Inlet the night of Thursday, the 15th of December. The time of sailing had been so arranged that the vessels should sail only so fast, in order that all might get there together, and should not get there in daylight. This was so that it would not be possible for them to be seen by any blockade runner or fishing vessel that might be out there. My own ship being faster than the rest, I went forward eighteen miles down the coast, and twenty-five miles off the land, in order to meet Admiral Porter, who, I supposed, was with his fleet. He had said to me that it would take twelve hours for him to go into Beaufort and get ammunition for his monitors and other vessels, but having had some experience in the delays of naval operations, I allowed him to have thirty-six hours' start.

I reached the blockading fleet off Fort Fisher between six and seven o'clock on the evening of the 15th (Thursday). I inquired if

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[1] Testimony of General Weitzel before the Committee on the Conduct of the War on the Fort Fisher expedition, pp. 68, 69, 70: —

"On Wednesday morning early, a steamer came in from the Department of the South and reported the sea as very smooth outside. We at once started, found the transports already anchored off Cape Henry, and started them at once to sea. When we left the harbor, I did not see there a single vessel that belonged to Admiral Porter's fleet.

"I think all the difference between General Butler and Admiral Porter as to the time we sailed is at that one point. Admiral Porter did not know that our transports went up the bay, but supposed they went right out to sea. Thence he says that General Butler started before he did. That, I think, is the cause of difference between them on that point."

[2] See Appendix No. 116.

Admiral Porter had been seen, and was told that he had not. I consulted a few minutes with the officer in charge, and then stood twenty-five miles out to sea, and found the Minnesota and some of the large vessels out there. I spoke them and inquired if they knew where Admiral Porter was. They said they did not, but supposed he was at Beaufort; that they could not get in the harbor of Beaufort, and therefore had come along. Expecting him momentarily, I did not come to anchor, but steamed under what steamboat men call "one bell," — steamed slowly around all that night.

On the evening of the 16th, not seeing Admiral Porter, I stood in towards land with the blockading fleet, my transport fleet still remaining at Masonboro' Inlet, with the exception of my own vessel and a little boat for a tender. I waited that day, which was very fine, and waited also the next day. The sea was so smooth that I lowered my gig and took a row for pleasure. There was not wind enough to fill the sail of a yawl boat that was let down.

I sent General Weitzel and Colonel Comstock on the Chamberlain to make a reconnoissance of the fort, and they ran in so as to draw the fire.

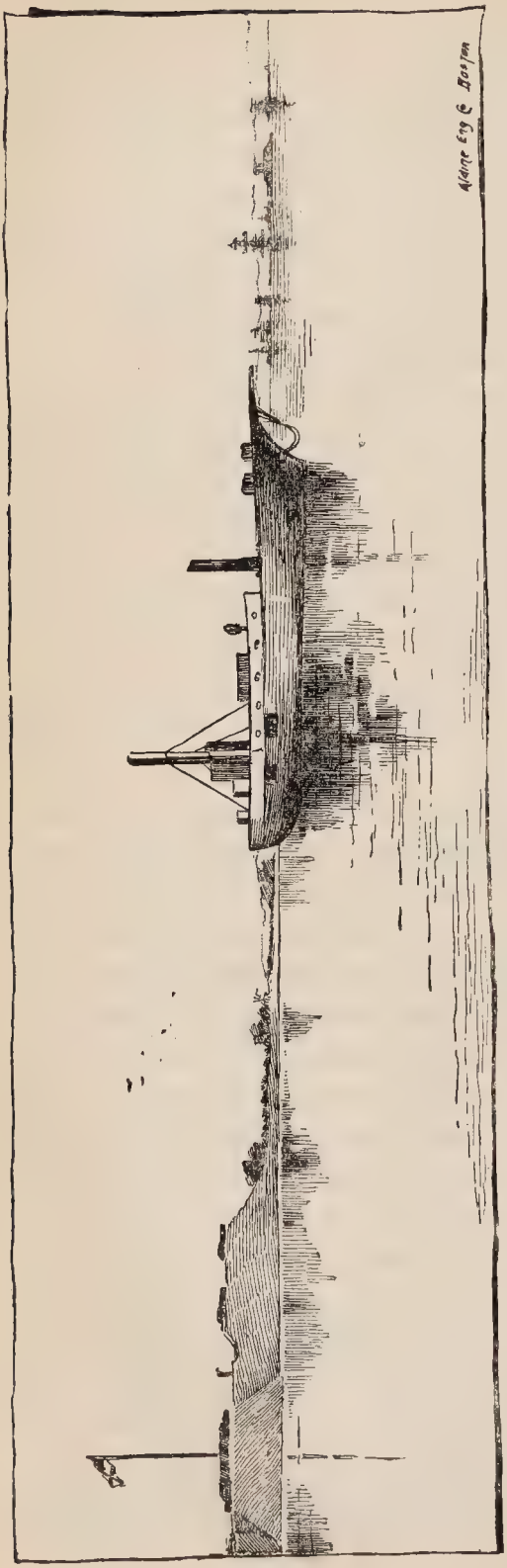
We waited there Friday, Saturday, and Sunday. On Sunday morning (the 18th) I received a letter from Admiral Porter dated the 16th of December, in which he said that he expected to leave for the rendezvous on the 17th, and that if the weather permitted he expected to blow up the powder vessel on the night of the 18th. He also informed me that it had been suggested to him by some of the naval engineers that even at twenty-five miles the explosion might affect the boilers of the steamers and make them explode if heavy steam was carried, and advised that before the explosion took place the fires be drawn and the steam allowed to run down as low as possible.[1]

We waited until Sunday night before Admiral Porter made his appearance. I ran out to meet him and was informed by him that the powder vessel Louisiana, which he said was "as complete as human ingenuity could make her,"[2] having on board two hundred and thirty-five tons of powder,[3] all he could get, had gone to attempt the explosion, and that he proposed to stand in the

[1] See Appendix No. 117.

[2] See Appendix No. 118.

[3] The testimony before the Committee on the Conduct of the War shows that only two hundred and fifteen tons were ever got on board. The navy got one hundred and fifty tons of that from the army, and supplied only sixty-five tons instead of one hundred and fifty tons as agreed.



POWDER-BOAT "LOUISIANA" AT FORT FISHER.

moment of the explosion, and open fire to prevent the enemy repairing damages.

Upon the receipt of the letter from Admiral Porter containing that information, it being then eight o'clock at night, and he having said that he would send the powder-boat in with orders to have it exploded, I immediately sent General Weitzel and Colonel Comstock on board the Malvern to represent to the admiral that there would be no use in exploding the powder-boat if the troops could not land.[1] For whatever damage that explosion might do the enemy would have time to repair, and, as we could not land, the advantage of the powder vessel would be lost entirely. As all of us would have to stand off during the northeasterly gale which he foresaw, it would clearly be best not to explode the powder-boat at that time.[2]

When Comstock and Weitzel returned they reported to me that the admiral had agreed with me, and had sent his fast sailing tug to countermand the orders to

[1] See Appendix No. 119.
[2] See Appendix No. 120.

the powder vessels. My officers reported that they had great difficulty in getting on board the admiral's vessel on account of the sea being so rough.

We remained there the night of Sunday. On Monday morning (the 19th) Admiral Porter signalled to me that as it was rough we could not land, and he proposed to exercise his fleet. He got his fleet in line of battle by divisions, and sailed all about, I with my ship following the flag-ship. We all sailed within sight of Fort Fisher. That I believed was the first intimation the enemy had that we were off the coast. I am confirmed in my opinion because Lieutenant R. T. Chapman, commanding the rebel battery Buchanan, which was the mound battery just below Fort Fisher, begins his report to the Confederate authorities on the 29th of December, 1864, in these words: "I reported to you on the 20th inst. that the enemy had arrived off this place." When we were exercising the fleet it did go within sight of the mound battery, and it was remarked on the squadron that if we could see them they of course could see us.

On the evening of Monday the 19th, the wind hauled round to the northeast, and it was very evident that there could be no landing of troops at that time. I had taken coal for ten days on the transport vessels, all they could carry. As my flag-ship was running light I could put a hundred tons of coal as ballast in her hold. I had taken ten days' water. Most of the vessels, however, had water condensers with which we could supply ourselves in case of necessity. Having waited in readiness from the 9th of December to the 20th, my ten days' supplies were getting rather short. By Admiral Porter's direction we were to rendezvous under Cape Lookout or in Beaufort Harbor, as many of our vessels as the depth of water would permit to go in.

As I saw that we could do nothing for three or four days, I sent my tender to the fleet at Masonboro' Inlet with a message that all that could do so should go into Beaufort Harbor, which was between sixty and seventy miles from Fort Fisher, and renew their coal and water. I proceeded to Beaufort to superintend that matter because the water was to be brought from a distance of some fifteen miles, which involved great loss of labor and time, not having any railroad facilities.

Admiral Porter says in his report that I had a bad class of transports.[1] If it was so they were such as were furnished me by General Grant's quartermaster. But that statement is not true. They were transports of an excellent class, as is shown by the fact that they rode out, without the loss of a man, one of the most considerable gales that ever occurred on the coast.

On the 20th of December, while lying off Beaufort, I sent to General Grant a report detailing the movements and operations up to that time.[2]

I intended to go out of port the afternoon I sent off that report, but it blew very strongly and continued to blow very hard until Tuesday night, when it held up a little.

I then sent Capt. H. C. Clarke of my staff to Admiral Porter, who was lying under Cape Lookout, to say to him that I would be finished coaling the vessels and be down there Saturday night ready to commence the attack on Sunday morning, when I hoped the sea would be smooth. Captain Clarke went down, but could not return until the next day, when he reported to me that he had arrived off Beaufort on his return during the night before, but that it was so rough as to be impossible for him to get his boat in, although it was a very good light-draft steamer.

He had seen Admiral Porter, who had told him to say to me that he would explode the powder vessels at one o'clock that Thursday night. Captain Clarke said to him that it would be impossible for me to get there with the land force because the vessels were not coaled, although they were doing the best they could, but that he would go right back and inform me. He left Admiral Porter at one o'clock on the afternoon of Friday to come back but did not reach me until the next morning for the reasons aforesaid.

Having this information that the powder-boat was to have been exploded at one o'clock the night before,— *and at the time I received the information it had been exploded*,— I started immediately for Fort Fisher, ordering the transport fleet to follow me, each vessel as fast as it got coaled. Most of them got off directly.

I got down near Fort Fisher between four and five o'clock, and found the fleet engaging the enemy and bombarding the fort. I remained there in sight until the signal was made to cease firing,

[1] See Appendix No. 121.

[2] See Appendix No. 122.

when the admiral's ship ran out some four or five miles and came to anchor. I ran alongside of her and anchored, and sent Lieutenant DeKay of my staff on board to say that General Weitzel would be on board that night to arrange a plan of attack the next morning, if the admiral thought it advisable to attack. Admiral Porter sent back word that he was very tired that night, but if I would send General Weitzel and Colonel Comstock on board in the morning he would see them at as early an hour as I chose to send them. I sent General Weitzel as he was to command the troops on shore, and I proposed that all the minor details, corresponding signals and all that, should be arranged between Admiral Porter and Weitzel so that there should be no mistake. And, besides, I supposed that Colonel Comstock would go with me to suggest anything that might occur to him, he being a member of General Grant's staff.

At half past six on the morning of Sunday, General Weitzel repaired on board the Malvern, the flag-ship, and there he had a conversation with Admiral Porter.

I sent Admiral Porter a letter in answer to that conversation in which I suggested that we should go in as early as eight o'clock in the morning.

It was arranged that the naval fleet should silence the Flag Pond Hill and Half Moon batteries, and that we should then land near them.

I directed General Weitzel and Colonel Comstock to urge upon Admiral Porter to run by the fort into Cape Fear River, but Porter said he could not do it because there was not enough water. Now, we had four vessels, blockade runners, which had been caught while trying to run out of the port of Wilmington. They had been captured and turned into gunboats, and it might be supposed that they could get into a place where there was sufficient water to permit them to come out. Yet Porter reported that the navy could not run in there because they had no light draft vessels.

The vessels of the navy lay in a semi-circle around Fort Fisher. Twelve vessels lay up above trying to silence the batteries at Pond Hill and Half Moon, which they did not do except temporarily. These same batteries fired at me afterwards while I lay within six hundred yards superintending the landing of troops.

I ask the reader to take into consideration the difference between a silent fort and a silenced one. Fortress Monroe is silent to-day, but it is far from being silenced. From Fort Fisher and the batteries the enemy fired occasional shots all the forenoon. It is fair to say that when the Brooklyn was in near the Flag Pond Hill battery she did some splendid shooting and the enemy concluded not to fire a great deal.

We stood in, the transport fleet lying each side of me. I lay within eight hundred yards of the shore when we commenced debarking the troops. The moment we got on shore skirmishers were to advance and take possession of some woods. This they did, and then the small party moved down upon Flag Pond Hill battery. The enemy held out a white flag as our skirmishers came up, and the navy sent in boats and took the prisoners off.[1] Among them were sixty-five prisoners from the Seventeenth North Carolina, a regiment which lay before my line when I left before Richmond. Porter reports that no land reinforcements got there, and yet we captured and brought back with us sixty-five men of a rebel regiment which I left at Richmond.

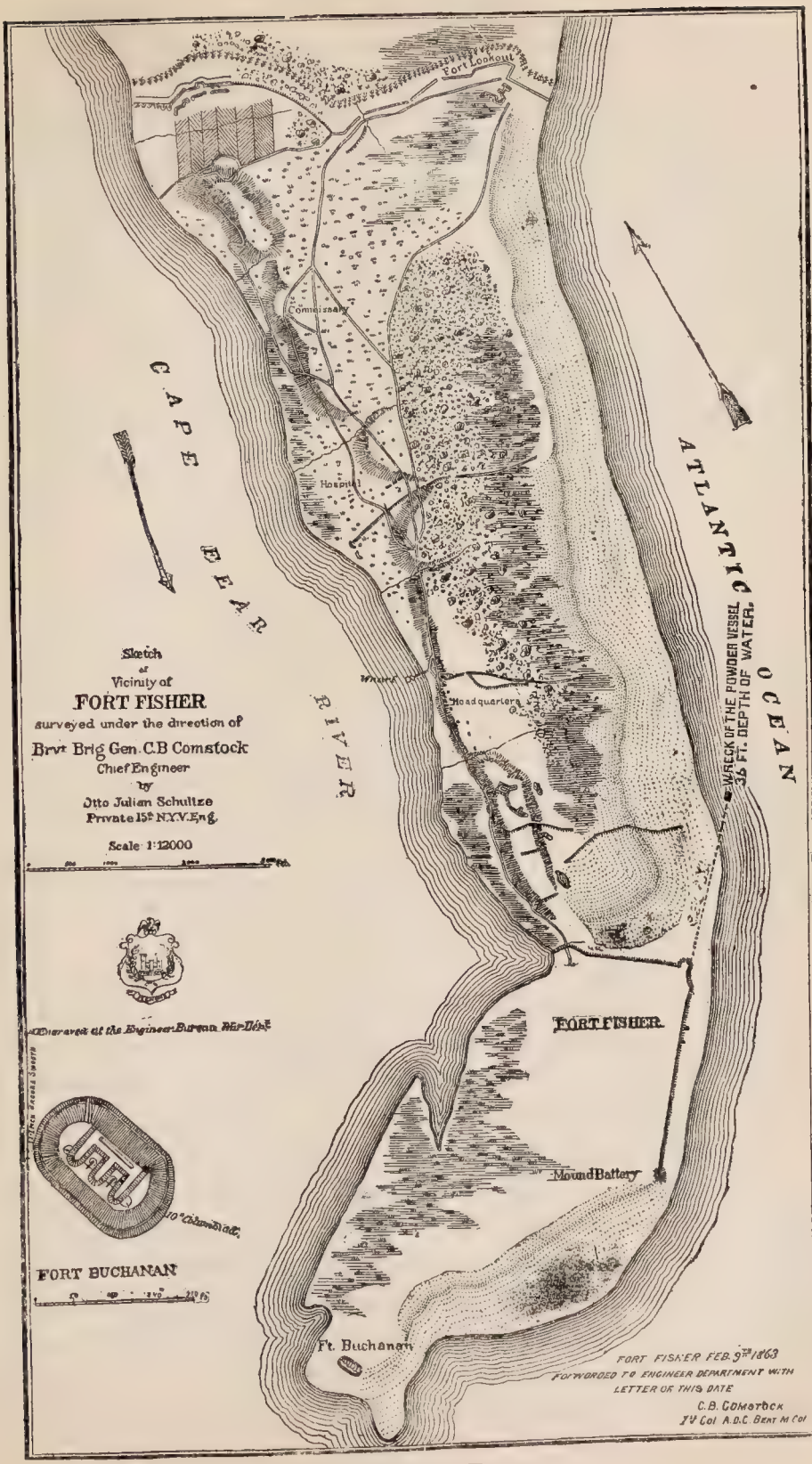
When we landed, the fort was entirely silent, with the exception of a gun fired now and then at some small navy boats which were apparently dragging for torpedoes or taking soundings.

My plan was: First to land five hundred men and reconnoitre, and if it was found that they could hold the landing for the others, then to land force enough to assault the place, and then, if it was possible, to land the rest of the men and what material I had, and intrench. The first five hundred men were easily landed, and then the boats were sent back and more put on shore as fast as possible.[2]

As soon as the landing was in good progress, I ran down to a point within five hundred yards of Fort Fisher, in General Graham's army boat, "Chamberlain," and at the right of where the monitors lay that were firing upon the fort. I could run in nearer than they could because my vessel was of lighter draft. I there met General Weitzel returning from a reconnoissance. He stated to me that he had been out to the front line, and had seen Fort Fisher,

[1] The lieutenant in charge of the boats reports that the navy captured Flag Pond Hill battery and the prisoners.

[2] See Appendix No. 123.




MAP OF FORT FISHER.

and that one of his best officers had been out on the picket line. As a defensive work the fort was uninjured. Its guns were all mounted on the land face, and they had seventeen guns mounted up the beach. "His picket line," he said, "was crouched under the counterscarp of a ditch, which was so high that it covered them." General Weitzel's report to me has since received confirmation from the report of Major-General Whiting, of the rebel service,[1] who reported that "during the day the enemy landed a large land force, and at half past four advanced a line of skirmishers to the left flank of the sand curtain." That is, our men advanced up and crouched under the sand bank which formed the counterscarp of the ditch, which was high enough to protect them from the fire of the fort. There they could lie exposed only to the fire of the navy which was enfilading them, — and we lost ten of our men by that fire from our gunboats.

General Weitzel further stated that he thought it was impossible to assault the fort successfully, and that it would be murder to make such attack upon the fort, and gave his reasons, which were entirely satisfactory to me. But being unwilling to abandon the enterprise without trying, and seeing, from the state of the weather, that it must be an assault or nothing, I said to Colonel Comstock, who was on board with me: "Jump into a boat with General Weitzel, pull ashore and examine with him and report to me if an assault is feasible; to me it does not look so, but I am unwilling to give up."[2]

They went on shore. The surf had begun to rise so that they got very wet in landing.

At the same time Brigadier-General Graham, reporting to me, said: "General, you have either to provide for those troops to-night on shore in some way, or get them off, because it is getting so rough that we cannot land much longer."

General Graham had been a naval officer for many years, but was then in the service of the army commanding the naval brigade. I reflected a moment before determining the course of action. A storm was coming on; the surf was rolling in; the barometer had fallen a half an inch. If we got the men on shore, it might be, and probably would be, a week before we could send any provisions to them.

[1] See Appendix No. 124.

[2] See Appendix No. 125.

In the meantime a deserter from the Sixty-Second North Carolina, whom I had captured once before at Hatteras in 1861, having received good treatment from me, came in. He said that they had marched down from Richmond, and that Kirkland's brigade and one other were already down there; and that Hoke was on his way with large reinforcements and had arrived by land the night before at Wilmington, which was about twenty-one or twenty-two miles off.

At that time our skirmishers advanced upon a small body of men who were between Flag Pond Hill battery and the pond. They could not get away because it was a marsh towards the river; and they could not go by the pond and up the beach because there was an opening from the pond into the sea. They could not get down to the fort because we were between them and the fort. Therefore Major Reece, their commander, five officers, and two hundred and eighteen men surrendered. Major Reece was brought to me, and from him I learned that he had marched from Bellville near the Weldon road, where General Warren of Grant's army had made his attack, after they had heard we were at Wilmington. He said that that morning as many of his regiment had been put into the bomb-proofs as they would hold, in addition to the garrison which was there before. As the bomb-proofs were not capable of accommodating his other two hundred and eighteen men, they had marched up the beach out of the way of the fire of the navy. I also learned from him that he had been in the fort that morning, and that it had lost but two men killed from the bombardment, and that there was but one gun on the land face dismounted. Reece seemed to be very communicative, and willing to tell us all he knew.

I then inquired of him where he was the night before last. He said he was lying two miles and a half up the beach. I asked him if he had heard the powder vessel explode. He said he did not know what it was, but supposed a boat had blown up; that it jumped him and his men who were lying on the ground about like pop-corn in a popper, to use his expression.

I then determined upon my course of action, bearing in mind the fact that a storm was coming on, and knowing that, if it became necessary to effect a landing again, we could do it any day, in a smooth sea, in two hours without the loss of a man. I thought it a greatly less risk waiting with the men on board the transports than

to attempt to get them on shore and have them intrench there during the night in the coming storm.

I knew very well, for I had studied them very carefully, that my instructions said that we were to blockade Cape Fear River by landing and intrenching there. But finding that the channel of the river was a mile and a half from any spot of ground where I could possibly plant a gun, I was not very hopeful of preventing, with my field guns, blockaders running by. I had obtained information which satisfied me that Hoke's division was there, and when they were all there with the garrisons and reserves that had been thrown in, there would be at least twice as many as I had on shore. Hoke's division alone was about six thousand men, and I had between twenty-one hundred and twenty-three hundred men landed. I had under my command sixty-five hundred men in all. It was evidently impossible to do anything further at that time in the way of landing. But troops can be got off when it is not possible to land them and their supplies. Orders were, therefore, given to get the troops off, and everything was done that could be done to get them away. General Weitzel and Colonel Comstock agreed with me.[1]

Before starting upon this reconnoissance Admiral Porter had sailed by my boat in his flag-ship, and with his speaking trumpet hailed me in these words: —

"How do you do, General?"

"Very well, I thank you," I answered.

"How many troops are you going to land?"

"All I can," said I, — for the navy had agreed to furnish me with the means of landing.

"There is not a rebel within five miles of the fort," said the admiral. "You have nothing to do but to land and take possession of it."

I had a different opinion, and avowed it. I said to those around me: "I think there is a man on shore by the name of Weitzel who will find out if it is so."

That was the first personal communication I had with Admiral Porter after leaving Hampton Roads.

The words were hardly out of Admiral Porter's mouth, and his vessel had not got many lengths from me, when the rebel skirmishers

[1] See Appendix No. 125.

opened on ours, and before an hour's time we had captured the two hundred and eighteen men who had not time to march one mile, and who denied having marched at all within that time, — the over-plus men that could not be put in the bomb-proofs of the fort.

I ran out to the Malvern, for the fleet had come to anchor, and asked Admiral Porter what could be done. He informed me that he had exhausted his ammunition, and that he must go to Beaufort to replenish. As it took him four days to put in his ammunition at a time when I supposed his vessels were already nearly full, I thought it would take him quite as long to fill them when they were quite empty. Now Beaufort was some seventy miles off, and as it would take him at least four days to go there and back, he would be absent certainly a week.

The gale was increasing, and by ten o'clock the sea got so high that I could get off no more men that night with my utmost efforts. In the morning my vessel was rolling so that no man not a sailor could stand on deck, and it was impossible for the navy to come in or open fire upon the fort even if they had had ammunition, — and it will be seen by looking at the report and letter that many of his vessels were actually out of the larger kinds of ammunition. The fleet could do nothing so long as the wind remained as it was then, which was nearly southwest, and if it should shift to the easterly or northeasterly they would be driven on shore. Consequently they must get an offing or be driven on shore. For if they waited there, rolling as the sea was rolling my ship, the fire of the fleet would have amounted to nothing, for under such circumstances their shot would not, with any certainty, have hit a county. But when the fleet retired my men would have no heavy guns to protect them, and would be exposed to attack by large numbers on the peninsula. They might possibly intrench against these, but they would also be exposed to the fire of the heavy guns of the fort, of which there were still sixteen uninjured and bearing directly up the beach. The beach at that point was not more than a third of a mile wide, and the wind of the storm would not affect the accuracy of the enemy's fire from the fort Besides, the drenching rains of the storm would cause suffering and sickness among the unprotected men, as their tents had not been and could not be got on shore, and not even their medical stores had been landed. The fact that as

soon as the fire from our vessels ceased there were plenty of men with which to repel an attack on the fort, is confirmed by the following sentence which I take from General Whiting's report above referred to: "The garrison, however, at the proper moment when the fire of the navy slackened to allow the approach of the enemy's land force, drove them off with artillery fire and musketry."

General Whiting shows exactly what my report[1] shows, and what the report of General Weitzel shows, that our troops were met with grape and musketry the moment the fire of the navy slackened. General Whiting also says: "A heavy storm set in and the garrisons were much exposed, as they were under arms all night."

At eleven o'clock the next day I informed Admiral Porter that in my judgment there was nothing to be done but to go to Fortress Monroe, and I went there. Before I got away from the coast of North Carolina I passed all the heavier vessels of the squadron, such as the Wabash, the Colorado, and the Ironsides, going up to Beaufort to get ammunition.

Upon my arrival at Fortress Monroe I telegraphed[2] to General Grant a report of what had been done.

The considerations that determined my mind against remaining on the beach near Fort Fisher were these: I was by no means unmindful of the instructions of the lieutenant-general. He had directed me that if I had fully got my men ashore, not if I had gotten only a portion of them, I was to remain. But a landing requires something more than to have twenty-five hundred men out of sixty-five hundred on a beach with nothing but forty rounds of ammunition in the cartridge boxes, and with all their supplies driven off in the storm. I did not think that that was "landing" within my instructions, and, therefore, I deemed it much better for the country that I should withdraw as I did; it was much less risk, and much better for the future. Porter had informed me that he could not get up the river inside because there was but six feet of water. But the rebels could come down in that depth of water and thence operate against Fort Fisher; and they could come prepared to remain there if I withdrew my forces — and the fact that the fleet had returned to Beaufort to stay a week to replenish would have shown the enemy that the expedition had been abandoned. If I

[1] See Appendix No. 126.

[2] See Appendix No. 127.

remained there they would keep the forces concentrated at that point; and if I was driven away by the storm coming up, then I should lose the men I had landed.

The failure of the expedition was owing to the delay of the navy in Beaufort; the exploding of the powder-boat before the troops got there to take advantage of the effect of it, whatever it was; the refusal of Admiral Porter to run by the fort, and the failure of the bombardment to silence the fire of the fort on the land front.

Porter had been told to run by the forts with a portion of his fleet and go into the river. Then we were to supply him across the strip of land upon which some of our men were landed, and we could have done this marsh or no marsh between us and the river. With the navy in the river, we could have remained on the beach, because we should have had somebody to aid us when the sea was so rough that the fleet could not aid us from the outside. The part of the fleet lying in the river, if he had run by the fort, could have aided us, notwithstanding the weather. The enemy had gunboats in the river, and without having any part of the fleet inside we were more liable to be shelled by them in smooth water, if they retained control of the river, than we were to be protected by the navy from the front in rough water.

One reason given by the admiral for not running by was that he would lose his gunboats by torpedoes. I never heard that there were torpedoes in the channel of the river, nor could I conceive how there could be with blockaders going to and coming from Wilmington, drawing all the water there was in the channel without their running against them.

There was never any excuse given for his delay at Beaufort. That delay gave time for the enemy to meet our whole expedition.

Porter's performance in exploding the powder-boat before two o'clock in the night, when he and his fleet were so far away that they could not get back until twelve o'clock the next day, was also fatal to anything like a surprise.

I think it is my duty to myself and to the country to detail the facts in regard to the powder-boat. They are few and simple. I have stated before that I had learned the particulars of several explosions which showed that large masses of powder, when exploded, produced an effect upon the surrounding earth, atmos-

phere, and buildings of all sorts, in kind with an explosion of a cannon, in degree according to the mass exploded, and to the instantaneousness of the ignition of the explosive.

I had never supposed, and I do not now suppose, that the explosion of any mass of a size that could be conveyed there to be exploded within two or three hundred yards of Fort Fisher, would blow down its bastions, many feet thick of earth, or blow down its bomb-proofs, some of them ten or twelve feet of earth, or be likely to dismantle any of its cannon *en barbette*. Nor did I believe that the proper explosion could be got from that powder from a vessel anchored in thirty-six feet of water, because the explosion of the first ton would stave the vessel all to pieces, or at least blow all the rest of the powder out of it into the sea to be lost. My proposition to the Navy Department contemplated using but one hundred tons of powder. But they immediately suggested more to the amount of three hundred tons, to make it certain, although I believe, properly exploded, one hundred tons would have done all that was required. My plan was that this one hundred tons of powder should be put into a light-draught steamer, and arranged and packed in such a way that either by electrical or other apparatus fire could be communicated all through the vessel into every part of the mass of powder at one and nearly the same instant; that that vessel should be run ashore; that time fuses or other means of calculating the time necessary for the explosion should be put in operation, and that with the vessel hard and fast on shore so that none of the powder substantially could go down into the water until it had time to take fire, the whole mass should explode. The effect that I expected from that was that the gases from the burning powder would so disturb the air as to render it impossible for men to breathe within two hundred yards; that the magazines of the fort would be burst in and possibly the magazines themselves be exploded; that by the enormous missiles that would be set in motion, and by the concussion, many men would be killed, and if the explosion were to be followed immediately by an attack of even a small number of effective men, the fort could be captured.

If this experiment had been carried out with anything of the intelligence with which the plans of it were devised, — for it was turned over to the experts and ordnance officers of the navy — there

would have been no doubt of its success. If it had been only partially successful, it would have had this effect, namely, that no garrison could be kept in a fort where a small naval vessel in the darkness of the night could be run up under it and explode. It would be less expensive to operate on forts in this way than with expeditions for bombardments which might cost millions.

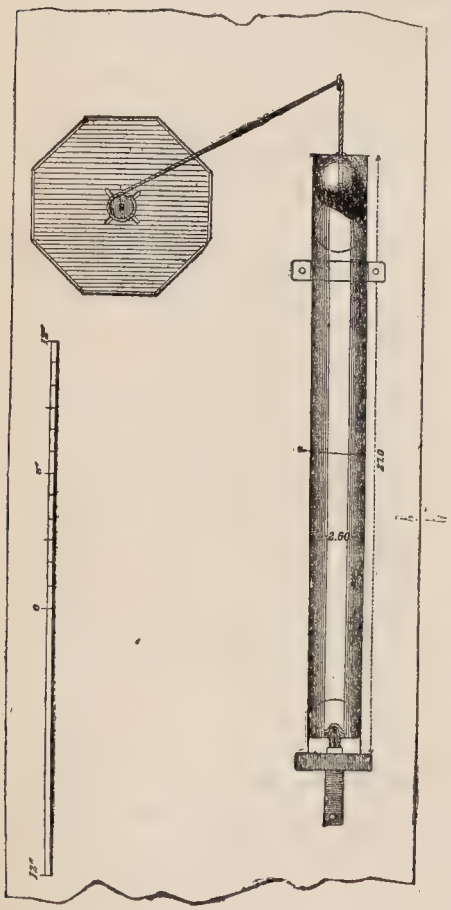
I knew of and acknowledge one great difficulty which those who actually took charge of the preparation of the powder-boat did not seem to appreciate as I did, — that it is very difficult to explode a large mass of army or navy cannon powder without a considerable delay. But if time enough can be had in which the powder may become fully ignited, then it has rapid but not instantaneous explosive force.

Now, I suppose it is not known to many that the cannon powder in the large guns of the army and navy is in the form of square blocks, each from three-quarters of an inch to an inch every way; and that, before any explosive force can be had from it, there must be time given for the blocks to burn. The powder supply for the powder-boat was of that character, and some that was used was admitted to have been damaged powder. But that was all well enough if it had been given time enough to burn. The problem was so to arrange matters that first every portion of the powder in mass should be set fire to at the same instant, and, secondly, after the vessel was run ashore time should be given before the match was applied to the powder to allow the crew having the vessel in charge to get off in their boats.

At a meeting of naval experts at Fortress Monroe at which I was present it was arranged to use a line of fuse known as the Gomez fuse, of which we had samples. This particular kind of fuse is nothing more than an India rubber tube or case of any required shape filled inside with fulminating powder, like in its properties to that used in percussion caps, which burns with great quickness and force, and after once being ignited cannot be extinguished until the mass has been burned out. So quickly does the fire travel through the tube or case that it will go a mile in four seconds. The experiment was tried, a small Gomez fuse one hundred feet long being coiled up in a tub of water, and its two ends brought over the side. An accurate stop watch could not indicate any lapse of time between

the moment when the fire was communicated to one end of the tube, and the rush of the fire out of the other end, after having passed through the whole length of the fuse The explosion of the fulminate in the tube bursts it at every point along its whole length as it passes through.

It was, therefore, arranged and ordered that the powder should be stored in the boat on the decks above the hold, and the higher the better, and that small boxes full of fine powder should be put in the top of each barrel or bag through the whole mass of the powder, and that from the cabin, where it was to be set on fire, Gomez fuses should be run through all these boxes of fine powder so placed. By this means every box of powder would be exploded at substantially the same instant of time. It was also arranged that all the fuses should start from the cabin where the ends were to be placed in a receptacle filled with powder. When this powder in the receptacle should be fired, it would instantly set fire to the whole mass. The Gomez fuse to be used for this purpose was bought and furnished.



CLOCKWORK DEVISED AND ORDERED TO BE USED TO EXPLODE THE POWDER-BOAT LOUISIANA, BUT NOT USED FOR THAT PURPOSE.

To permit time for the crew to escape an ingenious gentleman devised an apparatus from each of three marine clocks. These were to be set running, in communication with devices, a drawing of which is given, which would drop through a tube, at any time to which the clock should be adjusted, a two-pound shot upon a percussion cap fixed to a nipple at the lower end of the tube. By the fall of the shot the cap would be exploded and fire communicated to the powder in the aforementioned receptacle where the ends of the

several fuses were gathered together. A number of experiments were made with this clockwork device, and they worked perfectly. Three sets of apparatus were to be taken lest some disorder of the machinery of one might hinder the proper discharge of the powder. In case they all should fail from any unforeseen contingency, then, in order to prevent this quantity of powder from falling into the hands of the enemy, a fire was to be built on the forecastle of the vessel, which, by its burning, should at last reach and destroy the powder. But this was to be done, not with any expectation that it would cause a proper explosion, but only as a means of the destruction of the powder without beneficial results.[1]

*It was vitally necessary to any success of the explosion that the boat should be in substantial contact with the earth in order to give the explosion effect.* It is well known that when a torpedo is exploded in the water with a few feet of water as a cushion between it and the vessel to be destroyed, the effect will be to take from the explosion substantially all its destructive force, and the vessel by that means will escape uninjured.

I have stated with care what was to be done to render this explosion a success. Now, what was done and what left undone?

First, there were but two hundred and fifteen tons of powder put aboard instead of three hundred tons, the amount relied upon.

Second, the illustration given will show the storage of powder as it was ordered to be made, and as it was not made. The hold was to be left empty. The whole of the deck-house was to be filled, and the fuses laid and connected with candles which were to burn a certain time, of which six were prepared. The whole of the powder was to be put as high up as practicable, so as to be as far from the water as possible.

Third, the Gomez fuses were not used at all, but were left hanging up in coils in the cabin at the time of the explosion.

Fourth, the clockwork devices for exploding the powder were not used.

Fifth, the fire was not even built on the forecastle or the forward part of the deck, as it was proposed to be and ought to have been built, but was built in the stern under the cabin of the vessel.

Sixth, the vessel was not run on shore at all, so that it could not sink by the explosion in the water, and the powder drowned out,

[1] See Appendix No. 128.

because of course if the vessel was floating when the explosion took place it would be instantly sunk down into the water. The vessel was not put opposite to the fort, but quite three quarters of a mile [1] above the upper bastion, so that the direct force of the explosion was not felt on the face of the fort.

No accurate survey was made of the distance from the angle of the fort to the powder-boat.

Maj. Thomas Lincoln Casey, of the engineer corps, made a report concerning the powder-boat, but he does not give its distance from the fort. Captain King, in his report on torpedoes, only copies Casey.

General Whiting and Colonel Lamb agree about the distance of the powder-boat from the fort. The fact that some light wooden buildings near the corner of the fort were not destroyed by the explosion shows either that a very small amount of powder exploded, or that the boat was too far distant to do any damage.

As I have said, the clockwork was not started, the fuse was not ignited, and the fire was not lighted in the forecastle, as was directed to be done. On the contrary, it was built under the cabin, and the men and officers left in the yawl and rowed to the Wilderness which was waiting them. They got on board the Wilderness at precisely twelve o'clock. She immediately started at full speed and went some twelve miles out to sea. There they waited for the explosion to take place, which happened at 1.45 A. M. If, as Rhind says, the clockwork was set and the fuses lighted and timed at one hour and a half, the vessel would have exploded at that moment, but it is agreed that it did not explode until twenty-two minutes later. But the explosion did not occur until the after part of the vessel was enveloped in flames.

To do him justice I append so much of Captain Rhind's report as relates to this part of the matter.[2] In his letter, called for by the Ordnance Department of the Navy, he says that the Gomez fuse had not been put into that part of the powder which had been held at Craney Island, Fortress Monroe; that he was ordered to put fuse in, but did not because it could not be done without breaking out the cargo which he did not do.[3] He says he put the fuses in the part which he loaded at Beaufort — a small portion only, — but it could

[1] See Testimony of Gen. H. C. Whiting (Appendix 124, Q. 7): "Twelve (12) and fifteen (15) hundred yards, and not nearer."

[2] See Appendix No. 129.

[3] See Appendix No. 130.

not have been done. And even if it were done and the fuses connected with the clocks, they were not the means of exploding the powder, for he admits that the clocks did not set off the powder.

The failure to start the fire on the forecastle, as he was ordered to do, and the building it under the cabin, where the flames bursting out in the after part of the vessel show it was built, made a very great difference in the result. By looking at the diagram of the vessel and observing the manner in which the powder was loaded, it will be seen that between the after part of the vessel and the powder was the furnace and machinery. This was in a room which, of course, was made fire-proof, and the fire from the cabin had to burn through this before it could reach the powder, which the diagram shows was

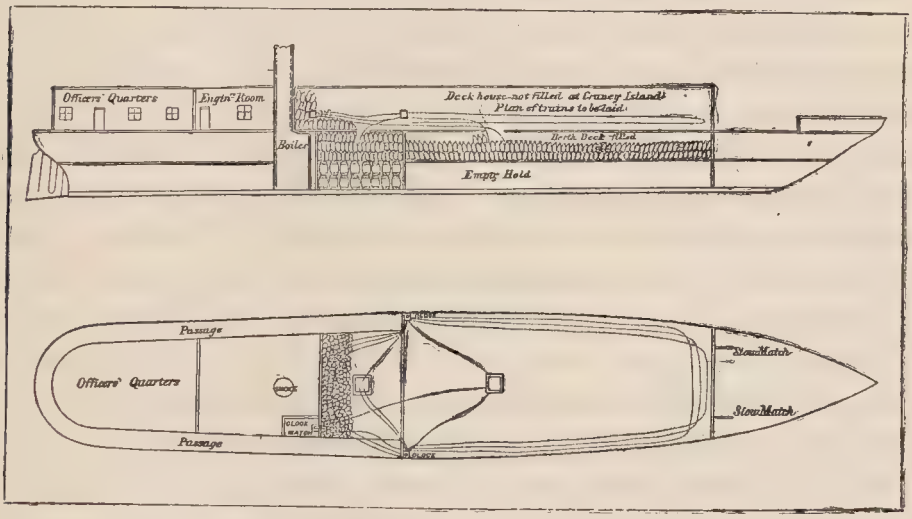



DIAGRAM OF THE POWDER-BOAT LOUISIANA.

protected from the side of the fire-room. There was no protection between the woodwork of the fore part of the vessel and the powder. She was anchored head towards the shore, and fastened in that position by an anchor over the stern at short scope. He did not take even the only means of exploding her which was to be used in the last resource, namely, by a fire on her forecastle. He should, while the vessel was under steam, have turned her and anchored her with her head from the wind, in order to prevent the fire in the forecastle being blown too early along the deck into the powder. The reason of his not having lighted the fire in the forecastle is obvious: he was afraid that if it were lighted there it would burn too fast to

let him get away far enough to be safe, Porter having told him that the fleet would not be safe short of twenty-five miles at sea, where he had taken the rest of the fleet. So the powder-boat waited until the fire lighted in the stern had burned over the fire-proof enclosure of the engine-room, and struck the powder between decks. This, as soon as it was ignited, exploded and blew all the rest of the powder directly into the sea as if blown from a cannon, because the powder vessel was an iron one, and the berth deck had been entirely cleared out in order to hold powder. It is as safe to say that not nearly one tenth of the powder on board the boat ever exploded, because the moment the explosion took place all the powder in the hold was driven down into the water, and the little powder above the berth-deck was immediately blown into the air. This powder was in bags, and some of the witnesses say they saw a succession of explosions taking place in the air as if of bags of powder which had been thrown up by the explosion.[1]

Rhind admits in his letter to the Ordnance Department — just as Jeffers, who had the matter in charge, testified, — that he was told that the last resort was to explode the powder by building a fire on the forecastle. The fact that the vessel did not explode with all that powder on board until the fire "lighted under her cabin" had been burning nearly two hours, so that the after part of the vessel was enveloped in flames,[2] so as to be seen by Rhind when twelve miles off out at sea, shows that none of the arrangements for exploding the vessel had been either put in order or availed of. Therefore, it is plain that the experiment of the powder-boat never has been tried. The whole performance of the navy as carried out was simply an abortion of the weakest kind. Rhind admits that he purposely steered away from the fort lest he might be discovered and the scheme frustrated. How could the enemy have frustrated it if they had seen the boat?

*But the fatal defect, setting aside all others, was that the vessel was not run on shore so as to put the powder where it could burn.*

The testimony of Colonel Lamb, who was in command of the fort, upon this subject, shows clearly that the vessel was not observed, and if it had been would probably have been taken for a blockade runner. His testimony shows that the explosion was of no conse-

[1] See Appendix No. 131.

[2] See Appendix No. 129.

quence. He did little more than wake up. He supposed that some boat had burst her boiler, but he did not even rise from his bed. He says also that nothing in the fort, animate or inanimate, was injured by the explosion.

Porter's admission that he was so afraid that it would explode the boilers of his steamers twenty-five miles away unless their steam was run down,[1] shows him as ridiculous in his cowardice as he was false in his statements.

Let me close this matter of the powder-boat by saying that here was another of my enterprises to do a service for the country rendered fruitless because the preparation of it was intrusted to the navy who, through some of its officers, failed utterly to carry it out properly. I was blamed and ridiculed for the powder-boat all over the country, and those who ridiculed me knew no more of the subject than they knew of the events of an unknown world. Thus it will be seen that this experiment was another of Butler's failures through the inefficiency of some of the officers of the navy, as we have already seen was Dutch Gap Canal by the cowardice of another officer of the navy who was afterwards convicted therefor. Yet the experiment was approved to be made by a board of officers detailed as experts by the President and the Secretary of the Navy. They arranged and carried it out. This board was approved by Porter and Grant, and over it I did not and could not exercise the slightest control, even as to indicating the time for the explosion.

By the gallantry of General Terry and his brave troops another expedition which was afterwards sent down was successful in assaulting the fort, I admit most willingly, but this throws no light on the question, and by and by I may consider the motives for sending it down. Sherman with his army had at that time nearly or quite enveloped North Carolina or was proceeding in his victorious march to do so. In less than thirty days he would be behind Wilmington which must of course fall as did Savannah. That would stop the blockade running into Wilmington as effectually as it was done by the expenditure of a large amount of money and the loss of some thousand lives. When I have made this remark before I have been answered: "You set the numbers high; Terry lost only seven hundred killed and wounded in the assault."

[1] See Appendix No. 117.

That is true, but he lost a good many by sickness and by explosions within the fort after it was captured, the exact number of which I do not find reported. And Porter, also, in a joint unsuccessful assault, lost some hundreds of sailors and marines who were, in the language of General Weitzel, "simply murdered."

*The fact is, that on the first attack after the failure of the powder-boat, Porter did not intend that the attack of the army should succeed.*

I know that he says he did, but every act shows he did not, as I propose by a series of quotations from his own reports to demonstrate, and to show that his statements are not at any time to be relied upon.

In regard to the powder-boat, Porter in his report to the Navy Department when the investigation took place, stated that the fire was built on the forecastle,[1] where it should have been made; but in his first report, of the 26th of December, he said, as was the fact, that the fire was set under the cabin[2] [in the stern].

When that department investigated the matter through Chief of Ordnance Wise, both Jeffers and Rodman stated that Porter's report of circumstances for the purpose of that investigation was that the fire was set on the forecastle, as the instructions for its explosion required should be done. Nobody but Porter says so, and he contradicts himself, as we have seen; and the action of the fire, as we have also seen, shows that it could not have been so done. The order of Wise shows that this investigation and all the reports should be "*confidential.*"[3] Why so, unless it was intended that the facts should be kept from me? And they were so kept until I managed to have them developed before the Committee on the Conduct of the War.

Porter was over-anxious that a second attack should be made and therefore he kept up a series of letters and reports to Welles, the Secretary of the Navy, some of which were confidential, begging him to keep the fleet there until more troops could be sent down. To induce the secretary to yield to his desire, he reported the fort as being undefended and incapable of defence, and he threw aspersions upon me for not making the attack, when to do so and to capture the fort was "entirely feasible."

[1] See Appendix No. 132. [2] See Appendix No. 133. [3] See Appendix No. 134.

Let us see Porter's description of the fort, and its capabilities of defence at the first attack. He says: —[1]

There never was a fort that invited soldiers to walk in and take possession more plainly than Fort Fisher. . . . We silenced the guns in one hour and fifteen minutes' time without the loss of a man [that I have heard of] except by the bursting of our own guns, in the entire fleet. We have shown the weakness of this fort. It can be taken at any moment in one hour's time if the right man is sent with the troops.

Again he says: —[2]

General Bragg must have been very agreeably disappointed when he saw our troops going away without firing a shot, and to see an expedition *costing millions of dollars* given up *when the hollowness of the rebel shell was about to be exposed.*

Again: —[3]

And now, sir, I beg that you will allow me to work this thing out, and leave nothing undone to take the place. Could I depend on the sailors for landing I would ask no army force; but a large portion of the crews are new in the service, having little or no knowledge of the musket or drill, and I intend to make no mistakes if I can avoid it. A repulse is always demoralizing, and sailors cannot stand the concentrated fire of the regular troops.

And yet sixteen days afterwards on the second attack, he landed fourteen hundred of these poor fellows and four hundred marines, and ordered them to assault the fort, and quite one fourth of the whole force were murdered or disabled.[4]

Well, sir, it could have been taken on Christmas with five hundred men without losing a soldier. There were not twenty men in the fort, and those were poor, miserable, panic-stricken people, cowering there with fear, while one or two desperate men in one of the upper casemates some distance above Fort Fisher [mound battery] managed to fire one gun that seldom hit anyone. . . .

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[1] Porter's Official Report, December 27, 1864.
[2] Porter's Report, December 31, 1864. (See Appendix No. 139.)
[3] Confidential letter to Secretary Welles, December 29, 1864.
[4] See Appendix No. 135

Both Whiting and Lamb, who were in command of the fort, say that on the first day they fired from the fort — not from mound battery — "six hundred and seventy-two shells by count," firing slowly and deliberately.[1]

Colonel Lamb says they fired on the two days six hundred shells, exclusive of grape and canister. (See page 816.) What becomes of Porter's statement that only one gun was fired by one or two desperate men, and that from the mound battery?

General Weitzel went on shore, determined what the report of the defences would be, for General Butler had made an opinion for him.[2] . . .

If this temporary failure succeeds in sending General Butler into private life it is not to be regretted, for it cost only a certain amount of shells, which I would expend in a month's target practice anyhow.

Again he says : —

The firing this day [the 25th] was slow, only sufficient to amuse the enemy while the army landed.[3]

In his plan of the first attack accompanying his report, and by his general order, the new ironsides and monitors were to lie in not less than three and one half fathoms of water, which he says would place them about three quarters of a mile from the fort. The plan itself shows that the ironsides ranged in a line from a little over three quarters of a mile to a mile from the fort. The next division of vessels lay at a distance of a mile from the fort, and the rest of the fleet, with the exception of the reserves, ranged from about a mile and an eighth to a mile and a half distant from the fort, the reserves being between a mile and a quarter and a mile and a half away. If the plan is a true one, and had been followed, full too long range, as will be seen, was given for the fire on the fort. But it was not followed, as it appears that some of the vessels did not go up within those lines, so that they had to be placed nearer the fort on the attack on the 25th in order that they might be able to throw their shells onto the land, "as they had fallen into the water on the day before," more than a hundred yards short of the fort.[4]

[1] See Appendix No. 124.
[2] Confidential letter to Welles, Dec. 29, 1864. (See Appendix No. 138.)
[3] Porter's Report, Dec 26, 1864. (See Appendix No. 141.)
[4] See Appendix No. 141.

His vessels were short of ammunition: —

As the ammunition gave out the vessels retired from action. . . .

I have ordered the largest vessels to proceed to Beaufort to fill up with ammunition. . . .

In one hour and fifteen minutes after the first shot was fired not a shot came from the fort. . . . Finding that the batteries were silenced completely, I directed the ships to keep up a moderate fire in hopes of attracting the attention of the transports bringing them in.

In his letter of Jan. 9, 1865, to the Secretary of the Navy, attacking me for not making preparation for a more lengthy stay at Fort Fisher because I relied upon the powder-boat, he has the effrontery to say: —

I thought a good deal would be done by the explosion, but still I laid in a double allowance of shell and shot, and did not depend on a doubtful experiment.

Yet after a few hours of not rapid firing upon the fort by his vessels some had to withdraw from the attack, being short of ammunition, and he sent the larger vessels the next day to Beaufort to replenish their supply, the fleet having expended no more shot and shell than he would use in a "month's target practice."[1]

How do these facts comport with his reckless statement that he put in a double allowance of ammunition?

What was Fort Fisher and its condition at the time of the two several attacks upon it?

We have shown what Porter thought of the capabilities of Fort Fisher as a fortification. Now this fort had been constructed at great labor by the Confederacy, and by its ablest and most experienced engineers. It was built to hold one of its most important points, which had become its chief depot for supplies from abroad of arms, clothing, and ammunition. But he says of it, "There never was a fort that invited soldiers to walk in and take possession more plainly than Fort Fisher."[2] This was his opinion after the first attack, and upon it he based all his abuse of me for not accepting the "invitation."

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[1] See Appendix No. 138.

[2] Report of the Committee on the Conduct of the War, Vol. II., p. 165.

To show what Fort Fisher really was as a military work I will call Porter as my first witness. After it had been taken he thus describes it to the Secretary of the Navy in his official report, dated Jan. 26, 1864: —

> These works are tremendous. I was in Fort Malakoff a few days after it surrendered to the French and English; the combined armies of the two nations were many months capturing that stronghold, and it won't compare, either in size or strength, to Fort Fisher.[1]

How about its having been devised to "invite" soldiers to come in and take possession of it?

Again in his detailed report to the Secretary of the Navy, dated Jan. 17, 1864, he uses this language: —

> I have since visited Fort Fisher and the adjoining works, and find their strength greatly beyond what I had conceived. An engineer might be excusable in saying they could not be captured except by regular siege. I wonder even now how it was done. The work, as I said before is really stronger than the Malakoff tower, which defied so long the combined power of France and England.

I might rest upon this testimony as to the strength of Fort Fisher, but I will not, as my misfortune is that my witness has shown himself to be a reckless, consciousless, and impudent liar, while on the stand, and I must proceed further by better witnesses to show the condition of Fort Fisher at the time of the two attacks. I therefore call Col. William Lamb, of the Confederate Army, who was in command of the fort on the occasion of both attacks, and who largely superintended the construction of the fort, on which he was engaged for years. He had been in command of Fort Fisher since the 4th of July, 1862, and with the aid of General Whiting, who was a very accomplished engineer when he left our army to join the Confederacy, had constructed the work at enormous labor and expense for the purpose of enabling it to sustain a very heavy artillery fire.

The works were of sand. Todleben, the Russian engineer who built the Malakoff at the Crimea, first taught military engineers

[1] Report of the Committee on the Conduct of the War, Vol. II., p. 184.
[2] Report of the Committee on the Conduct of the War, Vol. II., p. 190.

that sand was the best material of which to construct a fort to resist a heavy artillery fire, and Whiting, having plenty of that material at hand, used it in the construction of Fort Fisher. Colonel Lamb describes the fort as follows in the "Century War Books": —

> The outer slopes were twenty feet high from the bearme to the top of the parapet, at an angle of forty-five degrees, and were sodded with marsh grass which grew luxuriantly. The parapet was not less than twenty-five feet thick with an inclination of one foot. The revertment was five feet nine inches high from the floor of the gun chambers and these were some twelve feet or more from the interior plane. There were heavy traverses exceeding in size any known to engineers, from enfilading fire. They extended some twelve feet on the parapet and were twelve feet or more in height above the parapet, running back thirty feet or more. In each traverse was an alternate magazine or bomb-proof, the latter ventilated by an air chamber. Passages were constructed through the traverses in the interior to a work forming additional bomb-proofs for the reliefs for the guns.[1]

The land front was about one half mile wide, and over it an assault by troops must be made unless they landed from boats on the sea front of the work. It was very strongly defended. First, there were three lines of subterranean torpedoes extending from the river back to the seashore, the torpedoes being five or six hundred feet up the land face of the work, and so arranged that each line could be exploded without destroying the other. They were placed near together so as to blow up any assaulting column coming down the beach to attack the fort. These were to be exploded by means of underground wires attached to electrical batteries placed in a bomb-proof where they could not be destroyed by any artillery fire. These batteries did survive in working order both attacks on the fort. Next was a line of palisades made of heavy timber sharpened at the top, and nine feet high, pierced with apertures through which the garrison could sweep the plain with musketry.

It was the strongest earthwork built by the Confederacy. It was defended by forty-four heavy guns, twenty of which and four Napoleons had their range up the beach, seventeen of them being on the land front, and three upon the bastions at either end of the land face of the fort.

[1] Meaning a place to which the soldiers could retreat for rest, while a new detachment relieved them.

At the time of the proposed attack of Weitzel but one out of the twenty heavy guns had been disturbed by the fire of the navy; the torpedoes and palisades were all in order and the Napoleons ready for use. The fort was not silenced, but was only reserving its scant supply of shot and shell. The single long range gun with which the iron-clad could be reached to do any damage was an English one hundred and fifty-pounder Armstrong gun, and for this there were but thirteen shells, and no other ammunition could be used in it. For the forty-four heavy guns and three mortars the fort had not over thirty-six hundred shot and shell.[1]

The following extract from a letter of Colonel Lamb will show the condition of the fort as regards its capabilities for defence on the occasion of the first attack, December 24 and 25: —

*To the Editor of the Globe: —*

Among the papers which were saved and returned to me after the war, was my original MS. report of the first battle of Fort Fisher, December 24 and 25, 1864, and my journal from October 24, 1864, to the afternoon of January 14, 1865, giving details of all important events, and I therefore have not to recall from memory the occurrences of a quarter of a century ago, but have contemporaneous entries made from personal observation and official reports. My New England friends must not, therefore, feel annoyed at my corrections, which I make in the interest of the truth of history.

. . . . . .

The hand to hand fight in the fort was a prolonged and terrible one.

. . . . . .

Lastly, upon the authority of some of my men, who were captured, one of your informants says that General Butler could easily have taken the fort on Christmas night. These men did not know what they were talking about, and while General Butler is fully able to take care of himself, it is due to Major-General Weitzel, the accomplished officer upon whose report General Butler withdrew his forces from the attempt to capture Fort Fisher, Christmas night, to say that he acted wisely; that if he had made the attempt, his small force would have been almost annihilated before they reached the works proper, if any could be gotten so far, and it is a shame that Bragg allowed them to re-embark without capture.

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[1] See Appendix No. 136.

To the average reader the subsequent capture of Fort Fisher seems sufficient to substantiate the charge against General Butler, but in reality the facts connected with the final capture prove that his forces could not have successfully assaulted the work. When Weitzel's skirmish line approached on Christmas afternoon, and the fire of the fleet ceased, I purposely withheld the full fire of the infantry and artillery until an attack should be made in force. Only one gun commanding the land approach had been permanently disabled, and I could have opened a terrific fire of grape and canister from twenty heavy guns and four Napoleons on a narrow beach.

If the troops could have faced this with a knowledge that in their rear was an army equally as large to attack them under cover of darkness when the fight began, I had three lines of subterranean torpedoes in perfect order, which could have blown up consecutively three advancing columns. If, by any possibility, these could have been passed by any portion of an assaulting column, I had an almost perfect line of palisades, behind which I had thrown more than half the garrison. I had that night nine hundred veterans, sixty C. S. N. sailors and marines and four hundred and fifty junior reserves between sixteen and eighteen years of age.

. . . . . .

Our friends are mistaken in saying that the guns of Fort Fisher were silenced in the first attack, and in this connection I will repeat what I wrote for the "Century War Book": —

The guns of Fort Fisher were not silenced. On account of a limited supply of ammunition I gave orders to fire each gun not more than once in thirty minutes, except by special order, unless an attempt should be made to run by the fort, when discretion was given each gun commander to use his piece effectively. There were forty-four guns. On December 24, 672 shots were expended; a detailed report was received from each battery. Only three guns were rendered unserviceable, and these by the fire of the fleet disabling the carriages. On December 25, six hundred shots were expended, exclusive of grape and canister. Detailed reports were made. Five guns were disabled by the fleet, making eight in all. Besides two seven-inch Brooke guns exploded, leaving thirty-four heavy guns on Christmas night. The last guns on the 24th and 25th were fired by Fort Fisher on the retiring fleet. In the first fight the total casualties were sixty-one.

. . . . . .

I had no fear of an assault, and because during a bombardment which rendered an assault impossible, I covered my men and a few struggling skirmishers, too few to attract attention, got near the fort, and some gallant officers thought they could have carried the work, it does not

follow that they would not have paid dearly for their temerity if they had made the attempt.

In the second attack, when my torpedoes were destroyed, my palisades so torn up and cut down that they furnished a protection rather than an impediment to the assailants, when all the heavy guns, save one, bearing on the land approach had been disabled, and the killed and wounded had reduced my available force to about my strength on Christmas night, it took more than three times the number which General Weitzel had, of the very flower of the army and navy, five hours to capture the fort; and so desperate was the resistance of those same men who were with me Christmas night and so doubtful the result in the work, that I have heard that General Terry, naturally fearing an attack from Bragg in the rear, sent word to General Ames to make one more effort, and if he failed, to stop and intrench. Reinforced by additional troops the effort was made, and resistance became less effective until with thin ranks and ammunition exhausted the garrison surrendered.

WILLIAM LAMB.

NORFOLK, VA., Jan. 20, 1890.

Let us now see how the fort appeared to General Weitzel at the time he reconnoitred it from a knoll a short distance from the fort. In his testimony before the Committee on the Conduct of the War,[1] he says: —

I pushed a skirmish line too, I think, within about one hundred and fifty yards of the work. I had about three hundred men left in the main body, about eight hundred yards from the work. There was a knoll that had evidently been built for a magazine, an artificial knoll on which I stood, and which gave me a full view of the work and the ground in front of it. I saw that the work, as a defensive work, was not injured at all, except that one gun about midway of the land face was dismounted. I counted sixteen guns all in proper position, which made it evident to me that they had not been injured; because when a gun is injured, you can generally see it from the way in which it stands. The grass slopes of the traverses and of the parapets did not appear broken in the least. The regular shapes of the slopes of the traverses and slopes of the parapets were not disturbed. I did not see a single opening in the row of palisades that was in front of the ditch, it seemed to me perfectly intact.

From all the information which I gained on my first visit to New Inlet, as from what I saw on this reconnoissance, together with the information that I had obtained from naval officers who had been on the

[1] Report before the Committee on the Conduct of the War, Fort Fisher, pp. 72, 73.

blockade there for over two years, I was convinced that Fort Fisher was a regular bastioned work; the relief was very high. I had been told by deserters from it that the ditch was about twenty feet wide and six feet deep, and that it was crossed by a bridge. I saw the traverses between each pair of guns, and was perfectly certain within my own mind that they were bomb-proofs; they ought to have been and they were. It was a stronger work than I had ever seen or heard of being assailed during this war. I have commanded in person three assaulting columns in this war. I have been twice assailed in this war by assaulting columns of the enemy, when I have had my men intrenched. Neither in the first three cases where I assailed the enemy's works, nor in the two cases where I was myself assailed, were the works, in an engineering point of view, one eighth as strong as that work was. Both times when I was assaulted by the enemy, the intrenchments behind which my men fought were constructed in one night, and in each case after the men had had two or three days of very hard work. I have been repulsed in every attempt I have made to carry an enemy's work although I have had as good troops as any in the United States army, and their record shows it. The troops that I had under my command in the first two assaults have been with General Sheridan in the whole of his last campaign — the first division of the Nineteenth Army Corps — and they fought as well under me as they have under him. The third time that I assailed a position was on the Williamsburg road. I had two of the best brigades of the Eighteenth Army Corps. It was a weakly defended line, and not a very strong one. Still, I lost a great many men, and was repulsed. In the two instances where the enemy assaulted my position they were repulsed with heavy loss.

After that experience, with the information I had obtained from reading and study — for before this war I was an instructor at the Military Academy for three years under Professor Mahan, on these very subjects — remembering well the remark of the lieutenant-general commanding, that it was his intention I should command that expedition, because another officer selected by the War Department had once shown timidity, and in face of the fact that I had been appointed a major-general only twenty days before, and needed confirmation; notwithstanding all that I went back to General Butler, and told him I considered it would be murder to order an attack on that work with that force. I understood Colonel Comstock to agree with me perfectly, although I did not ask him, and General Butler has since said that he did.

Upon my report General Butler himself reconnoitred the work; ran up close with the Chamberlain, and took some time to look at it. He then said that he agreed with me, and directed the re-embarkation of the troops.

It will be observed that Porter says, when he speaks of the fort as being stronger than Malakoff Tower, "an engineer officer might be excusable in saying that it could not be captured except by regular siege," and that he even wonders how it was captured.[1] So then General Weitzel was excusable in his view of the fort, and he saw the land face, where the assault must be made, was uninjured. But how can the statements of Porter be excused when he says that it "might have been taken on Christmas Day by five hundred men without losing a soldier; there were not twenty men in the fort, and those were poor, miserable, panic-stricken people, cowering with fear."[2] Colonel Lamb says he had fourteen hundred and fifty men in the fort on Christmas Day. Had Porter seen any of them go away? How could he suppose that the Confederates had built such a work there and left only twenty men to defend it? In the same report Porter says that only "one or two desperate men managed to fire one gun which seldom hit anyone," during the bombardment. Colonel Lamb says he expended six hundred shot and shell besides grape and canister on that day, and that he had expended six hundred more on the 24th. How shall Porter be excused with such a work before him, its strength visible to every eye, for saying that it was only a "rebel shell"?[3] These reports were only downright falsehoods, made for the purpose of getting Welles to allow him to make another attempt.

Porter's performances at the first attack were not intended to demolish the fort; he did not mean that they should take the fort. He says that his order was that the firing should not be rapid; that only one division of guns should fire at a time from each vessel.[4] His fleet being anchored around the fort, the battery of one broadside of the ships only should be brought to bear. Ship's guns are divided into two divisions at least for each broadside, so that only one quarter of his guns were, according to his orders, used at a time at most, and some of his vessels, he says, did not fire a single shot. He further says that during the day while the troops were being landed, which was most of the day of the 25th, he only fired to amuse the enemy.[5] He further says that all the shell that he expended in both days were not more than what he would expend in target practice in a month anyhow.[6]

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[1] See Appendix No. 137.
[2] See Appendix No. 138.
[3] See Appendix No. 139.
[4] See Appendix No. 140.
[5] See Appendix No. 141.
[6] See Appendix No. 138.

Had he any motive for doing this? He says the expense was "well incurred as it retires General Butler to private life,"[1] although he admits that the expense amounts to millions.[2]

I had criticised his foolish performances in bombarding for eight pays Forts St. Philip and Jackson, leaving the latter, upon which he expended most of his work, as defensible as before. Weitzel had so reported it, and therefore Porter did not like him, and me he hated as the devil hates holy water, and he did not show me the ordinary courtesy of conferring with me.

He says on the first day (December 24th) Fort Fisher was silenced in an hour and a half.[3] He says substantially the same of it on the 25th. I knew that it was not silenced and that earthworks of that description which he saw before him could not be so silenced.

I had seen him with twenty-one mortars bombarding Fort Jackson on the Mississippi, a little further off, for seven days throwing in thirteen-inch shells, and he did not effectually demolish but one gun. Weitzel had seen the same thing, and he knew that fort was not disabled.

Colonel Lamb, then commander of Fort Fisher, says there was but one gun out of twenty on the land face demolished, and out of his forty-four barbette guns, — that is, guns mounted on top of the works, — but three had been demolished, and two of them, Brooke's guns, had been exploded. He also says that at the first attack the fire of the fleet was desultory, and did but little harm, a large portion of the shells going clear over the fort into the water of the river.

How was it at the second attack? Porter says he made a new plan. The fire was very fast, and from all the broadsides of his vessels which could be brought to bear.[4] His plan shows that he arranged the iron-clads and heavier vessels, some eighteen of them, so as to bear directly on a quarter to a half a mile nearer range than at the first attack (some of them seven hundred to one thousand yards from the land face of the fort), and he reports that the fort was reduced to a pulp.[5]

He doesn't claim any such damage done to the fort or its approaches on the first attack, and in that attack he claims to have expended only as much shot and shell as he would have expended

[1] See Appendix No. 138. [2] See Appendix No. 139. [3] See Appendix No. 142.
[4] See Appendix No. 143. [5] See Appendix No. 135.

for target practice in a month anyhow, and he says he expended fifty thousand shells on the fort, and had supplied himself with as many more.

Porter says over and over again that in the second attack he had the most cordial co-operation of General Terry, whom he denominates his beau-ideal of a soldier, and that they had consultation on board his ship, and elsewhere, as to the manner of making the attack, and that he aided Terry with two thousand of his sailors and marines in making the land attack, which Colonel Lamb says he thought was to be the principal assault of the fort.

Upon this whole subject of the condition of Fort Fisher at the time of both attacks of the defences, and of the probable results of an assault, taking the circumstances in view, I call a witness for whose statements I claim the utmost credence.

When the expedition to Fort Fisher was under investigation by the Committee on the Conduct of the War, I sent, by a gentleman of my staff, certain questions to be answered by Maj.-Gen. W. H. C. Whiting of the Confederate army, under whose supervision as an engineer during two years Fort Fisher was built. I did not take his deposition in form, because he was lying a prisoner of war in one of our hospitals on his dying bed, from wounds received in the second attack on Fort Fisher. He died immediately after his communication with me. I apologized to him, saying that I would not add to his sufferings by having a formal deposition taken, but I wished that he would answer as he would under the sanction of an oath, and he gave me his dying declarations, which are received in law in cases of murder as effective as testimony given on the stand.[1] General Whiting desired that the questions might be put, and that he might answer them separately in his own way, which, of course, he was permitted to do, and every one of his answers directly contradicts Porter where they speak of the same matter. I submit the testimony with great confidence to the judgment of the reader.[2]

The Committee on the Conduct of the War investigated this subject in February, 1865, calling all the witnesses who they deemed could give material testimony in regard to it, and having all the papers furnished to them. That testimony was taken under oath. General

[1] General Whiting's statement was received as testimony by the Committtee on the Conduct of the War.

[2] See Appendix No. 124.

Grant, General Weitzel, and Admiral Porter were fully examined by the committee. There were upon the committee members of both political parties, and the result of the investigation was a unanimous report through their chairman, Hon. Ben F. Wade, which closed with the following words: —

*In conclusion, your committee would say, from all the testimony before them, that the determination of General Butler not to assault the fort seems to have been fully justified by all the facts and circumstances then known or afterwards ascertained.*

Respectfully submitted,

B. F. Wade, *Chairman.*

I had hoped that this report would justify my action in saving the lives of my men without any detriment to the public service, but, unfortunately, so far as I know, it was never published in any of the newspapers which tried me before the country; and whenever any malicious scoundrel wants to make a fling at me and my military conduct, he always says: "How about Fort Fisher?" I will here answer him: —

I believe my withdrawal from Fort Fisher to face the calumny which has rolled its waves over me, and which I calmly looked in the face when I made my decision to withdraw my troops, was the best and bravest act of my life. I feared it would destroy my friend Weitzel, and so I took pains to put before the committee the acts which were done as if they had been done by my command. There was but one subject in regard to which General Weitzel and I disagreed. As a junior officer in the regular army he has said, and I have no doubt he would have done so although against his own judgment, that he would have held on to his position. Indeed, I believe his words were those of a junior officer. "As a junior officer I should not obey the command of my superior, leaving him to bear the blame and responsibility of the event." I believe that if General Grant had been there he would have been of opinion with me, that the troops should have been withdrawn, under the circumstances, and that his order, although in the letter directing differently, would have been reversed by him. Whether it would or not, at any rate I thought it my duty not to be so controlled, nor to throw away the lives and liberties of my brave officers and soldiers by a useless

adherence to forms. And though I have suffered more from thus acting on my judgment than from any other act of my life, I rejoice — I trust modestly — with exceeding joy that I had sufficient firmness to do as I did do. Weitzel had no profession but arms, and his disobedience of orders would have ruined him in that profession. That we foresaw the result when we acted, and that I endeavored to repair for Weitzel as much as I could the consequences of his act, will appear from the letters between us: —

WILLARD'S, Jan. 23, 1865.

MAJ.-GEN. G. WEITZEL:

*My Dear Weitzel:* — I am afraid you have been annoyed lest I might possibly think that your advice at Fort Fisher was not such as I ought to have acted upon. Let me assure you that I have never in any moment, amid the delightful stream of obloquy which is pouring upon me, doubted the military sagacity of the advice you gave, or the propriety of my action under it. Indeed, my friend, I am glad I was there to act as a shield to a young officer in a moment of fearful responsibility, from the consequences of a proper act which might have injured him in his profession, but which cannot harm me, who have a different one. The judgment of cool reason hereafter will applaud it, but hot passion might have harmed you, as it has done me, for the hour. Indeed, it was in view of this very event that I went at all. With the invocation of every blessing upon you and yours,

I am, your friend,

BENJ. F. BUTLER,
*Major-General.*

CINCINNATI, Jan. 26, 1865.

*My Dear General:* — I was so delighted this morning to receive your note from Willard's. As the truth became developed I saw I had not made a mistake. At first, I was terribly frightened.

Many of my friends and fellow-citizens here, too, at first, made long faces, and only one paper, our oldest and most respectable, the *Gazette*, stood out for you boldly as against "marking Pot Porter" as they called him.

In one of his best despatches, however, Porter is compelled to acknowledge the correctness of our judgment. . . .

Yours truly,

G. WEITZEL,
*Major-General.*

Farragut, who had been offered the command of the expedition against Fort Fisher, but was — unhappily for me — too sick to take it, after he learned that the expedition was to go with my army, wrote me a confidential letter in which he strongly advised me not to go with the navy under the command of Porter, because he would not co-operate with me. If I had got the letter in season, — as it expressed my own thought, — I doubt whether I should have gone even for the reasons which urged me to go; but, alas for me! it came too late.

After the affair at Fort Fisher Grant treated Porter very kindly; and Porter was enthusiastic in his praise of Grant, and almost adulatory in his conduct toward him. They were apparently the best possible friends. During this time Porter wrote a confidential letter to Gideon Welles, the Secretary of the Navy. The close friendship of Grant and Porter remained until Farragut died, when Porter was appointed admiral in his place.

Grant appointed Borie, a respectable sugar merchant of Philadelphia, his Secretary of the Navy. Porter immediately claimed that as admiral it was his duty to carry on all matters appertaining to the *personnel* of the navy and its ships, and that Borie should look after what I may call the civil administration of the navy. Porter placed himself in the office of the secretary and attempted to carry on all the business of that office as admiral. Borie's incumbency of his office was short, and Grant appointed Hon. George M. Robeson his successor as Secretary of the Navy. When he entered upon the duties of his office he undertook to be Secretary of the Navy, and finding Porter in his way and interfering with him too much, advised him to remove his office elsewhere, which was done, and Robeson assumed the full administration of the duties of secretary. This mortally offended Porter and he and one of Grant's staff entered into a cabal to get Robeson removed and to lessen his influence with Grant, Porter claiming to Grant that he had been his *fidus achates.* While that was going on one of the clerks in the Navy Department, in examining the correspondence on file, discovered and brought to the attention of Mr. Robeson the confidential letter of Porter to Welles, and that was so abusive of Grant and made such accusation against him that the secretary thought it his duty to bring it to the President's attention. Grant read it with great astonishment and chagrin;

sent for Porter, handed him the letter, and asked him if he wrote it. Porter at first began to deny it but the evidence was too strong and he admitted the writing but attempted to excuse it. Grant said to him that the contents of that letter were such that thereafterwards Porter's relations with him as President should be simply official, and they continued to be official, merely, through Grant's term of office, and Robeson was no longer annoyed with Porter.

I put this letter[1] of Porter's in the appendix as a literary curiosity. It is a photographic illustration of every bad trait in Porter's character, and I think the letter could not have been written by any man in the world but Porter. But of that the reader can judge for himself, bearing in mind the intimate relations existing between Porter and Grant at the time it was written.

[1] See Appendix No. 144.





LIEUT.-GEN. U. S. GRANT.

## CHAPTER XVIII.

## WHY I WAS RELIEVED FROM COMMAND.

I RETURNED to my command on the 16th of November, and there found an order from General Grant which put me in command of the Armies of the Potomac and James, as it informed me of his absence and enclosed an order to General Meade.[1]

General Grant had for a considerable time been impressed with the belief — in which I did not share — that Lee intended to abandon Petersburg with his main army and go down to join Johnston against Sherman; and he feared very much that Sherman might be overwhelmed if Lee was not instantly pursued by the Army of the Potomac, leaving the Army of the James to take care of Petersburg. But no such event happened.

Everything of the official correspondence in relation to the current movements of the Army of the James went on without any intimation to me of any change of our official relations, and without any information as to any comment by Grant upon my report of the operations against Fort Fisher. I noticed nothing, except, perhaps, a want of cordiality in his manner. But on the 8th of January, about noon, I received, through the hands of Colonel Babcock, a crony of W. F. Smith, and a member of Grant's staff, who I had always known was bitterly opposed to me, a sealed envelope containing the following orders: —

War Department, Adjutant-General's Office,
Washington, Jan. 7, 1865.

General Order No. 1.

I. By direction of the President of the United States, Maj.-Gen. Benjamin F. Butler is relieved from the command of the Department of North Carolina and Virginia. Lieutenant-General Grant will designate an officer to take this command temporarily.

[1] See Appendix No. 145.

II. Major-General Butler on being relieved will repair to Lowell, Mass., and report by letter to the adjutant-general of the army.

By order of the Secretary of War:

W. A. NICHOLS,
*Assistant Adjutant-General.*

HEADQUARTERS ARMIES OF THE UNITED STATES,
CITY POINT, VA., Jan. 7, 1865.

To MAJ.-GEN. E. O. C. ORD,
*Through Maj.-Gen. B. F. Butler.*

Special Order No. 5.

I. In pursuance of General Order No. 1., War Department, Adjutant-General's office, Washington, D. C., Jan. 7, 1865, Maj.-Gen. E. O. C. Ord will relieve Maj.-Gen. B. F. Butler in the command of the Department of Virginia and North Carolina temporarily.

II. Maj.-Gen. B. F. Butler will turn over to Maj.-Gen. E. O. C. Ord the records and orders of the department, and all public money in his possession, or subject to his order, collected by virtue of rules and regulations which he may have established.

III. The department staff will report to Major-General Ord for duty.

By command of Lieutenant-General Grant:

T. S. BOWERS,
*Assistant Adjutant-General.*

I immediately repaired to Fortress Monroe in company with General Ord, and there had a very pleasant interview with him. I exhibited to him all the books of record of the department, especially those relating to any financial transactions; and had the officers who had such matters in charge report in person and explain to him the books, the manner of transacting the business, and the sources from which any moneys in the civil fund of the department had been received during my administration, and exhibit the balances as shown by those books.

I turned over to him $258,000 in money, of which $66,000 was from one fund, $104,000 from another fund, $20,000 from another, $38,000 from another, and other sums from minor sources of revenue amounting to $30,000. I also accounted for the expenditure of an additional sum of more than quarter of a million dollars. The accounts for these expenditures were afterwards forwarded to the War Department and settled, and no item has been questioned to this day.

After I had proceeded in the same manner with the accounts of all the public property, and had recommended to his kind consideration the gentlemen of my staff who were ordered to report to him, he returned to City Point and reported to General Grant. That he was satisfied with the accounts I have an indirect means of knowing, for a gentleman on the staff of General Grant, who happened to be present when the report was made, informed me that Ord said, "Whatever they may say of General Butler, one thing is certain, he is no rogue." And that was Ord's opinion I know, for I had his cordial friendship for years afterwards until his death.

Meanwhile I had received from Washington, through the kindness of an official friend, a copy of the documents which Grant had sent to Washington to get leave to make the order. They showed me that Stanton had nothing to do with it, as he was absent, and that I was indebted to my virulent foe, General Halleck, for the influence which prevented my having any information of the alleged causes.

General Grant's letter to the Secretary of War and his telegram to the President are as follows: —

CITY POINT, VIRGINIA, Jan. 4, 1865.

HON. E. M. STANTON, SECRETARY OF WAR:

I am constrained to request the removal of Maj.-Gen. B. F. Butler from the command of the Department of Virginia and North Carolina. I do this with reluctance, but the good of the service requires it. In my absence General Butler necessarily commands, and there is a lack of confidence felt in his military ability, making him an unsafe commander for a large army. His administration of the affairs of his department is also objectionable.

U. S. GRANT,
*Lieutenant-General.*

CITY POINT, VIRGINIA, Jan. 6, 1865.

PRESIDENT A. LINCOLN, WASHINGTON:

I wrote a letter to the Secretary of War, which was mailed yesterday, asking to have General Butler removed from command. Learning that the Secretary left Washington yesterday, I telegraph you, asking that prompt action may be taken in the matter.

U. S. GRANT,
*Lieutenant-General.*

I immediately telegraphed to the President for leave to publish my official report, and the following is his answer: —

[*Telegram.*]

WASHINGTON, 12 M., Jan. 10, 1865.

MAJOR-GENERAL BUTLER:

No principal report of yours on the Wilmington expedition has ever reached the War Department as I am informed there. A preliminary report did reach here but was returned to General Grant at his request. Of course, leave to publish cannot be given without inspection of the paper, and not then, if it should be deemed to be detrimental to the public.

A. LINCOLN.

From this it will be seen that I had no right to publish my report without the permission of my superior; so that while the newspapers of the country were filled with extracts from Porter's reports and abusive criticisms of my conduct, I could not say one word as to what that conduct had been. It will be observed how promptly and kindly the President replied to me.

Soon afterwards I learned that the report which had been sent to Washington had upon it a sufficiently severe endorsement, especially as it contained the baldest misstatement that my report stated that one reason for my return was that I had no intrenching tools, which was untrue, as the report shows.[1]

My report, with the endorsement thereon, which had been sent to Washington, was recalled by General Grant, and the endorsement, which was not in the hand-writing of the lieutenant-general, was changed by somebody who erased in a rather bungling way two or more lines by scratching them out with a knife. General Grant's signature to it, however, was allowed to remain.

I knew then, as I know now, that that endorsement was not written by Grant, but by one of his staff officers. And when the staff officer learned of the misstatement contained in the endorsement, the report was sent for, such parts as he saw fit were scratched out, and the paper was returned to the files. This belief is confirmed by the fact that Grant makes no allusion to my conduct at

[1] It is a singular fact that this misstatement originated with Porter, who put it in his report of December 31. The fact was I had ordered that Weitzel should take quite a large quantity of intrenching tools, and as Grant thought the number should be increased three or four times, the whole were taken with us.

Fort Fisher as a reason for relieving me. One reason he gives is that when he was absent I was in command of the whole army, and the corps commanders had not confidence in me, as he had expressed it before, I not having had a technical military education. I had three times been in command of all the armies as the senior major-general, in Grant's absence, and having not too much confidence in some of his major-generals, who generally failed to be on time when an order was given and some of whom were boys at West Point when I was a major-general in command of armies, I never attempted to make any movement during his absence. This I omitted to do because I knew that they would no more obey my command implicitly and promptly than they did Meade's during those last disastrous days, the 16th, 17th, and 18th of June, when Meade was attempting to retake Petersburg, which the colored troops of Smith's corps had once taken, and which he had let go.

It appears by Meade's circular of orders to make the attack on those days, that he did not instruct each corps to attack in exact time and conjunction with the others, so that his superiority of numbers, fifty thousand to ten thousand, would tell in his favor, obliging the smaller number of the enemy to keep their whole line of intrenchments fully manned all the time. On the contrary, he said in substance: "As I find it impossible to have the corps commanders attack simultaneously, each corps commander is ordered to attack as soon as he can get ready." The result of such an uncombined and miscellaneous attack was that the Confederates could mass large bodies of their troops at each point upon which an attack was made, and, after repulsing it, could put them in that portion of the intrenchments next attacked, when some corps commander got ready to make one, after their "interminable reconnoissances," from which Assistant Secretary of War Dana said Meade had suffered so much. The end of it all was that we lost Petersburg and some seventeen thousand killed, wounded and captured; and then, laying down the musket, we took up the spade in a nine months' endeavor to recapture that city, which was at last effected through the starvation of Lee's army.

While the command of the Armies of the James and Potomac devolved upon me as the senior major-general in Grant's absence, the only action that I took while so commanding was to send a telegram to the Secretary of War, communicating the fact that I had

ascertained that through an omission of duty of the quartermaster of the Department of the Army of the Potomac the horses of that army were without sufficient forage and means of sustenance, and asking that the matter might be attended to, which was done.

What there was in that to demonstrate any unfitness to command a large army, I leave the reader to judge. My criticism upon the want of proper action of Ingalls, Grant's quartermaster-general, who lived with him at City Point, infuriated him, and he joined the other staff officers with his great influence over Grant, which certainly he had, however obtained.

The thing alleged against me was not my want of success at Fort Fisher, — for that would not do, as the second expedition had just sailed and might not succeed, — but that the other generals, when he was absent, were unwilling to be commanded by me. That was a fact that he had always known from the beginning of the campaign, and yet the command of all the troops in Virginia had been devolved upon me by Grant three times as the senior major-general in the army.

He adds another reason which is, that the administration of the affairs of my department was objectionable. That is answered by the fact that he had never hinted to me any cause of dissatisfaction, and in June Halleck had sent down General Meigs, quartermaster-general of all the armies, and General Barnard, chief engineer of the Army of the Potomac, to examine into my acts in the command of the Army of the James, and into my administration of the affairs of my department, and they had reported to Halleck that I had "*shown rare and great ability in the administrative duties of the department.*"

On the 11th of January, being then at Fortress Monroe, I telegraphed to General Grant as follows: —

I have asked the President's permission to publish my report of the Wilmington affair. He answered that no report had been received at the department. You told me you had forwarded it. Has it been lost again? If so, I have a copy.

To that Grant answered, after I had quit the department, that he had sent to Washington for it, and had it brought back, and that he was going to send it up by special messenger, and it would get there on a certain Friday night.

My telegram shows the fact that when I called for it from General Grant in person, it had been lost. It will be seen how this was, because Grant had sent it to the President before the time of my removal; and the sharp criticism upon my action, in not telling the truth about it, had had its effect upon the President's mind. It was not true that the report had been lost, but when I told Grant that I had the copy he did not say that I might publish that copy. .

Again I saw the hand of the staff officer.

Grant was called before the Committee on the Conduct of the War after I had testified before the committee and this question had been put to me by Mr. Odell: —

*Q.* —You have noticed in the communication to which you have reference that one of the alleged causes for your removal was your arbitrary arrests. Has General Grant ever spoken to you upon that subject?

*A.* — General Grant never spoke to me but once of arbitrary arrest, and with your leave I will state what that one was; and if I am removed for that I am well pleased to meet the issue.

(I will condense my further answer:) Previous to the 26th of May, 1864, a very decided attack upon my action at Drury's Bluff, saying that I had not intrenched as I should have done, was published in the New York *Evening Post*. I sent to General Gillmore on the night of the 26th of May, and asked him if he had authorized the statement in any form. He said he had not. I then went to work to find out who had written that communication, as it evidently came from General Gillmore's headquarters. About a month afterwards I ascertained that it was written by one Chaplain Hudson of the First New York Volunteer Engineers, who was a sort of actor-chaplain. He could not be found. I ascertained that he went away on the morning of the 27th of May, and that was the morning after I sent to General Gillmore.

The 6th of July I sent Chaplain Hudson a peremptory order to return. It was duly served upon him, but he did not come back. About the 1st of September I was in New York on private business, and I hunted him up with a detective. I then sent an order to his colonel, Serrell, to bring him back or put him on his parole if he would promise to come back. Between the 15th and 25th of September, Chaplain Hudson reported to me, and the following

conversation, which was taken down in shorthand in his presence, took place: —

"Where have you been, Chaplain Hudson, absent for nearly four months?"

"In New York and Massachusetts."

"What have you been doing there?"

"I left under orders."

"Whose orders?"

"From Major-General Gillmore."

"Produce them."

He produced an order which was, substantially, in these words:— "Chaplain Hudson will go north on business for the commanding general."

I said: "The general had no right to order you out of my department. On what business did you go on the 28th of May?"

"I went to New York to superintend the printing of a book which Van Nostrand & Co. are printing for General Gillmore."

"What book?"

"A history of the siege of Charleston."

"That is private business," said I, "a private enterprise. Do you mean to say that you, a minister of the religion of Jesus Christ, having charge of all the souls of your regiment, left them, in the face of the enemy, to go off on a private enterprise in this way, remaining away four months, while you are drawing pay from the United States?"

He did not reply to that.

I then said: "You heard of General Gillmore being relieved from command here; you then had no further business with him. Why did you not come back then?"

"General," said he, "I am a bereaved man; I have been watching by the bedside of my dying child."

"No lies to me, Parson Hudson," said I; "your child died on the third day of June; you left on the 28th of May; you have not watched much since. Why did you not come back before the 20th of September? Did you not get my order of the 25th of July?"

"Yes, sir."

"Why did you not return, in obedience to that order?"

"I saw my colonel, and he advised me that I need not come back."

I sent for Colonel Serrell, and asked him about it, and he said he had told the chaplain no such thing. I said to the chaplain: —

"On or about the 27th of May I wrote to General Gillmore, and asked him if he assumed a certain publication, or knew anything about it; he wrote me that he did not. Now, Chaplain Hudson, did you not write the letter which was published in the New York *Evening Post?*"

"Well, yes, I did."

"Did you show it to General Gillmore before you sent it off?"

"I did."

"Did he know you sent it?"

"He did."

"Do you not know that I made the inquiry of him on the night of the 27th of May, and you were sent off on the morning of the 28th so that I should not get at you, and that you have stayed away since because you wrote that letter and were in conspiracy with General Gillmore? Do you not know he sent you away for that reason?"

"I do not know it."

"Do you not believe so?"

"Well, I do."

"Well," said I, "if I were not personally mixed up in this matter, if I were not personally aggrieved, I should know how to punish such a lying, cheating, defaulting chaplain as you are. But I do not think any man should be the judge of his own case; therefore I cannot sit in judgment upon you. I must put you in close arrest, because you would not come back to your regiment when ordered."

And he was put in a tent close to my headquarters. He sent to me, and said he wanted his clothing. I had his trunk hunted up; it took two days to find it, because it had strayed off somewhere. His colonel came to me and asked if Chaplain Hudson should have a bed and bedding. "Certainly," I said, "let him have everything that is necessary."

When I got to New York I met a number of my fellow-churchmen of the Episcopal Church, who said to me: "What have you been doing to Chaplain Hudson?"

I told them.

"He says you have shut him up, and starved him, and all manner of things."

"I beg your pardon, gentlemen," said I, "we will settle that in two minutes."

I sent for Colonel Serrell, and asked him about it. He said: "He has been more comfortably situated and better taken care of since he has been in confinement than I have."

I turned to these gentlemen and said: "Now, gentlemen, I should not alter my treatment of Chaplain Hudson but for this: I am here, and God knows when I may get away. Chaplain Hudson has been kept in confinement without a trial a considerable longer time than he should have been. I will order his close arrest to cease, and order him to stay with his regiment, and I will try him when I get the opportunity;" and I sent an order accordingly.

Two or three days after I had returned from the Wilmington expedition, General Grant told me that Chaplain Hudson had written him a letter, and he had sent for him, and seen him. I gave General Grant the facts that I have now given here, and he appeared to be satisfied. That is the only arbitrary arrest that General Grant ever spoke to me about.

If that was what I was removed for, I can only say that I would do the same again in like circumstances.

There was another thing alleged against me, which I heard of afterwards. It was said that I punished officers wrongfully. I will say here that I will agree to suffer any punishment if it can be shown that I ever punished a good officer; but I was not very chary when I got hold of a bad one.

On one occasion it was reported to me that an officer had tendered his resignation for frivolous reasons. This having been done in the face of the enemy, the regulation required his dismissal. His colonel called the man up to him, and told him that the reasons were frivolous, and that he better not send forward that resignation. The man said he would be d—— if he would not get out of the service either honorably or dishonorably. The colonel did not send forward the man's resignation. A few days afterwards the colonel gave the man some order; he threw his sword down, with a flourish, before his men, and said he would be G—— d——— if he ever did



GEN. BUTLER'S SPEECH FOR HORACE GI



Y IN NEW YORK, 1866, CITY HALL SQUARE.

another day's duty in that regiment. This was mutiny and had to be stopped. What was I to do?

It was just before the election. There were a great many officers at that time in the expectation that if they could be dismissed from the service, and thus be made martyrs of by the Lincoln government, and could go home and participate in the canvass for President, they would be canonized by the McClellan government, which they expected would come in, and they rather sought martyrdom. I issued an order, therefore, the first paragraph of which dismissed this mutinous officer from service for the act of which he had been guilty, and the next paragraph sentenced him to work at hard labor. That man did not go home to electioneer for anybody, that I ever heard of. I do not remember his name; I had no personal knowledge of him; he was, to me, the x, y, or z of an algebraic equation, an unknown quantity to be wrought out for the good of the service.

Again, I withdrew General Curtis' command from the trenches before Petersburg, because it was very much reduced by sickness, and needed rest and "setting up." He issued an order that his officers should always be present at roll-call, and also that they should wear their coats when they came to headquarters. Thereupon five of his officers sent in their resignations, written upon the same day, and upon similar pieces of paper, and nearly all in the same hand-writing, saying that they resigned because they were incompetent to carry out that order. Some of them had been in service for two years. It was said amongst them that they supposed "Old Butler" would dismiss them. Now that was exactly what they wanted; they wanted to get out of the service. All of the intermediate commanders reported that they ought to be dismissed. I said: "What good will that do? That is what they want; they want to go home and go into the election." I did dismiss them in the first paragraph of an order; and in the next paragraph I directed them to be set to work on the fortifications to take the places of better soldiers. That stopped that epidemic. I had no more trouble in that way.

"How could you do that?" might be asked. In this way: If I found civilians within my lines with nothing to do and no right there, I could put them anywhere. After they were dismissed they were civilians, and had no business there. "Yes, but had

they not a right to have a reasonable time to go away?" Has a man who does wrong any right from his wrongs? They did this to get out of the service. An army is governed by martial law. It is not a town meeting; it is not civil law that controls it. The Duke of Wellington defines martial law to be the will of the commanding general exercised according to principles of natural equity and justice. Was not this act perfectly just to these conspirators and mutineers? Upon that definition of the law I am willing to have every act of mine examined. Do as nearly justice as you can. In regard to his officers, the commanding general can have no temptation to do anything but right. These officers I never saw,— I only knew their acts.

I kept them at work only a few days; I doubt whether they even worked. They were not very bad, only very foolish. Their friends wrote to General Grant, and he wrote to me, and I said: "Let them out." I only wanted to stop the practice spreading. Because if that practice had been allowed to prevail, it would have demoralized the army in a very little time.

There is another thing about which I would like to say a word. It has been said that offenders should be tried by a commission. It seems to be supposed that there is some peculiar virtue in a military commission. Now, what is a military commission? It is this: The commanding general selects three or more officers to advise him after hearing the evidence, what to do in a given case; and that is all there is to a commission. If he chooses to sit himself, hear the testimony,— and I think I ought to have been quite as competent to do that as any of my officers,— if he will take time for it, work late enough at night and get up early enough in the morning to so do, all the power is in him that there is in a military commission. He must revise and approve all they do or it is null. Why should not the judgment of the commanding general be as likely to be right as that of his subordinates? In no other case is he obliged to call a council of war to advise him what to do, and the commission is only a council of war. He can and ought to act on his own responsibility when the lives of thousands are in the balance; why not in punishing a rascal who has crept into the army?

This matter is not well understood. In the acts of Congress military commissions and courts-martial are associated, and no dis-

crimination is made as to their powers and duties. André is supposed by some historians to have been hung by order of a court-martial. That is erroneous. He was tried by a military commission, upon which was Lafayette. The commission recommended to Washington that he should be hanged, and Washington issued the order to that effect. The commission only ascertained the facts for Washington to act upon. I did not trouble military commissions much, except where there were many controverted facts.

I have said I accounted for and turned over, when I gave up my department, five hundred thousand dollars. No dollar of it ever came out of the treasury of the United States, but it was collected in various ways under my command. I do not know that anybody has objected to my action in this behalf. I will state some of the principal sources of this revenue: —

I found men in the department who were carrying on a speculative trade. I taxed them one per cent. on that trade for the benefit of the United States. That, I believe, brought in about $178,000. They said I had no right to collect that tax of them. I said: "Certainly not; but then the law requires that before you can do any trade here you shall have a certificate signed by the military commander. Now, there is no law to make me sign the certificate. Your trade is a permissive one only, and if you don't pay this excise I will not sign, and no harm will be done to either. If you don't want to trade under my rules and regulations, then don't, for no one can compel you to."[1]

Again, Congress passed a law allowing the recruiting of soldiers for the loyal States in my department. The result was that a herd of recruiting agents came down there to take away all my able-bodied blacks, to be credited as soldiers to their States, leaving the women and children to be taken care of by the United States. Now, when

[1] The ports of the Department of Virginia were all under blockade, and according to the rules and regulations, nothing was permitted to be landed there coming from any place foreign or from the North, but such goods as the commanding general would certify were not contraband of war, and were proper to be imported. All invoices of goods, before they were landed, were required to be sent to my office for my examination. That required a large number of intelligent clerks. When I took command, I found these examinations made by soldiers taken from the ranks to do it, so that their services were lost to the army. I sent back the soldiers and employed civilians as clerks to examine these invoices, for they were legion, and put a charge of one per cent. to pay the clerks and other necessary expenses, such as providing for sick soldiers, and spent $6,000 of the fund to buy vaccinating matter for our soldiers in rebel prisons, and matters of like kind. Norfolk, Hampden, and Yorktown were the points at which the importations and examinations were made.

recruiting was done in the several States, care was taken of the families of the soldiers by providing State aid, or in some other way. I therefore issued an order that no recruiting agent should take a negro out of my department until he paid over one third of the bounty money for the support of the wives and children of the blacks. In that way I collected $68,000, which I turned over to my successor. I should have collected more but for a rascal who was appointed major and sent to recruiting in North Carolina, where he enlisted men on behalf of the United States, sold them out and stole the money.

Congress passed a law to the effect that one fourth of the value of all the cotton brought in from the Confederacy should be paid into the treasury of the United States. It took the Treasury Department some considerable time to devise proper rules and regulations for the government of trade under that law. In the meantime, before these regulations were prepared and the law took effect, the speculators were running out all the cotton they could in order to save the twenty-five per cent. I appointed a cotton agent, put the law into his hands and told him to see that all the cotton which was being brought out of the rebel States paid twenty-five per cent. toll. This he did. After he had been at work a while the Treasury Department sent down to see about appointing an agent under the law for my department. They examined the books of the man whom I had appointed to take charge of the matter and were so well satisfied with what he had done that they continued him as their agent. Before he got his appointment from the department he had collected and turned over $26,000 to the treasury of the United States.

I found stores and shops of all sorts around Fortress Monroe on government land. Some of them had been there for thirty years without having paid a cent of rent. One man had made a quarter of a million of dollars there during the war. I ordered a commission to assess a fair ground rent upon all these store and shop keepers. I took one of the stores, where the owner had previously been convicted of fraud, and sold the ground rent at auction, and made that the basis of the rent for the rest; and I collected from that time so long as I remained in command, at the rate of three thousand dollars a month for such rent.

I found that flag of truce officers received an immense quantity of letters with money accompanying them to pay their postage to their




DISMAL SWAMP CANAL. From Photographs.

1. Deep Creek Lock. 2. West Weir at Deep Creek. 3. Village of Deep Creek. 4. Canal.

destination within the Confederate lines. I saw an opportunity to pay the expenses of the office by collecting these stamps and exchanging our money and stamps for Confederate money or stamps with which to pay Confederate postage to our prisoners. I employed three clerks, paid them out of that fund, and in addition to that I turned over three thousand dollars extra postage, saved by the difference between our postage currency and Confederate currency.

Now what did I do with the money thus gained, — not one cent of which came out of the treasury of the United States? I paid largely the expenses of digging Dutch Gap Canal; I built a hospital at Point of Rocks and furnished it with gas and water, and with cows for milk, and I expended a portion of it in sinking an artesian well, and built barracks for the soldiers at Fortress Monroe.

I found convicts, deserters, and others imprisoned at Fort Norfolk, doing nothing but eating their rations. I got a live Yankee and put him in charge as superintendent, and sent to Massachusetts and got prison uniforms, half black and half gray, and scarlet caps, with which to clothe these convicts, so that they could not easily escape when at work. I gave the superintendent charge of these men and told him to put them to work on the streets of Norfolk. I said to the men: "If you will work well and behave yourselves you shall have so many days deducted from your sentence according to your merits." In consequence they labored well and did an exceedingly large amount of work. The result of this was that permanent work was done which was charged to the city of Norfolk, for paving, etc., and on the Dismal Swamp Canal to which the United States paid large rents, to the amount of about $38,000, while my whole prison labor cost less than $9,000. Besides this, from the 15th of April to the 15th of June there was taken a thousand loads of filth per week from Norfolk, and by this means the yellow fever was kept out.

The act of Congress had provided for a contraband ration. I found that in the way this had been managed there had been great waste.[1] The system of supplying the negroes was re-adjusted, and the saving of some $84,000 in my district, in the rations issued to contrabands, was made.

[1] The rations furnished were so many for each contraband, and if a man had a wife and three children he drew five full rations, one half of which would easily support them. By imposing restrictions this other half was saved.

Again, I found that the poor of Norfolk were cared for in this way: Every commissioned officer could give a certificate to any one, that he or she was an indigent citizen, and when this certificate was taken to the commissary's office, rations might be drawn upon it. The result of this was that there were a great many poor young women in Norfolk drawing rations from the government, the number being in proportion to the number of commissioned officers. I broke up that practice. I established a commission to examine and decide who really needed assistance, and thereafterwards rations were issued to those only who were deserving, numbering something like five thousand white people daily,— for the negroes took care of themselves, — and the expense of this assistance to the needy of Norfolk, under the regulations adopted under my administration, averaged for each ration eight or nine cents a day.

From the sources mentioned I was enabled to collect, as I have already stated, something over half a million dollars, over a quarter of a million of which I turned over to my successor. Some of the advantages of having this money at my disposal will be appreciated when I say that in July, 1864, the treasury being very empty so that we could not get money with which to pay our sick and wounded soldiers in the hospital so that they could go home, I loaned $49,000 to the paymaster to pay them so that they might go, and he paid the money back to me when he got his money from the treasury. In the November following, the quartermaster's department was short of money; the laborers struck for their pay and wages, because they could not live if they were not paid with regularity. I then loaned the quartermaster $53,000 to pay them up and keep the quartermaster's department going until funds could be received from Washington. This civil fund was a handy thing to have in the house.

General Grant said that he learned after I was removed that there had been other arbitrary arrests. That was true, because my arrests were all arbitrary and they were always entered on the guard book as "by order of General Butler." It was not for the good of the service or for the good of the country that the reasons should be set out. His staff officer found some such cases and reported that the persons ought to be discharged because no charges had been made against them. That was true also, and yet it was for the good of

the service. I was not asked why I made the arbitrary arrests and confined parties to close imprisonment, treating them very well in some cases, and I now state I would do so again under the same circumstances and submit my action to the judgment of good people.

There was, at Nassau, a gathering of pilots who knew the harbors of Mobile, Savannah, Charleston, and Wilmington. These harbors could only be entered by vessels in the charge of pilots who were expert enough to run in in dark nights only, in order to get by our blockading fleet. The pilots, in the darkest night, could take large blockade runners in through the narrow channel where Porter with all his officers and sixty vessels, four of which had been blockade runners captured there, could not get in in two days in the daylight, even after he had "silenced" the forts that defended the entrance to the harbor. There were not many such skilled pilots to be found, so I asked Admiral Lee if he would not, when any were captured by the blockade squadron on the Atlantic coast, send them to me. When I got them I put them in a comfortable place of confinement and shut them up, and if I could have got all those pilots we would have as effectually stopped blockade running as the capture of Fort Fisher itself did.

Now, these pilots were principally Englishmen, and as soon as they could write to Lord Lyons, the British Minister, then he would call upon Seward, and Seward would of course order them to be delivered up when they could be found. If I had put on the guard house book or prison register: "confined by order of Major-General Butler as a blockade runner," or had had some other identifying description placed thereon, I should have had them all taken away from me, and therefore I did not go into their history or description; but great care was taken that their whereabouts should not be known.

I deemed this action justifiable under martial law, which is the will of the commanding general exercised for the best interests of his country in war. I doubt if I could have convicted one of them if I had tried them in a court of law, because being foreigners and not having committed any offence in my country, although captured while on their way to commit an offence, the charges would hardly have passed judicial action.

There were many other questions in regard to my action examined into by the Committee on the Conduct of the War on the occasion referred to, but as my explanations can be found at any time in the official reports of my evidence, there seems to be no necessity for further referring to them here, especially as they form no part of the reasons for which I was removed.

That I had refused the vice-presidency, and that I had refused the secretaryship of war was known to General Grant.

The fact that at a meeting at the Fifth Avenue Hotel which was represented to him as having been gotten up by my friends for that very purpose, I had been nominated for the presidency, was impressed upon General Grant's mind by officers of his staff, as showing that I was thereafterwards a positive rival. Nothing could have been farther from the truth. But still it had an effect upon his mind, and from that hour until after he was President no kindly word of friendship ever passed from his lips to my ear.

Lest I should do something to my credit, he did not mean that I should go with the expedition to Fort Fisher, and when, not knowing how his mind lay, I persuaded him to let me go, he was glad to take advantage of the fact that that expedition, although not under my charge, was not a success, for the foundation of my removal from command, which he requested within a few days after my return from that expedition.

I know the pressure that was brought upon him to induce his action, and the people who made it I do not forget or forgive. But I do forgive him, because he was misled and deceived. As it was, he alleged against me, as his reason for my removal, nothing except what I had done or left undone as a commander of the army or department. After my removal, to justify Grant's action, his advisers caused to be instituted a very searching and cruelly conducted investigation into the acts of my subordinate officers in the department, especially into those of General Shepley, — afterwards Mr. Justice Shepley of the United States Circuit Court, First Circuit, a most honest and high-minded gentleman, who had the administration of affairs in Norfolk, and afterwards those of the military district, including the vicinage around Norfolk, Fortress Monroe, and Yorktown, which were claimed to have been very improperly administered, — and into the action of my provost marshal of the

department, Col. John Cassels. Against neither of these gentlemen could a single fact be found or a suspicion or ground for suspicion against the administration of their offices in any particular, for they had acted in the most honest and high-minded manner, and with a single eye to the performance of their whole duty as gentlemen of probity.

Certainly the commander of a department was never removed before, without any notice, for want of proper administration, when a commission of high officers sent to examine that administration



COL. JOHN CASSELS.

reported only that he had shown in his administrative duties rare and great ability. And as I was in the field subsequent to that time there had been no special administration of duties of that department excepting to let it go on in the line in which it had been conducted and directed. But this was done without the slightest intimation to me, and with no faulty action specifically alleged in either capacity. I have too much respect for the memory of General Grant to believe that he would have done this great wrong unless he had been deceived and also moved by a feeling of political

jealousy, which I know was impressed upon him by members of his staff, especially by one whom Grant, when President, put in a high position. Here he betrayed his chief by acts implicating him in the whiskey frauds upon the government, which caused him to be removed from his position and indicted upon accusation from the Treasury Department. He is dead now, and I forbear to mention his name.

Upon the representations set forth, Grant obtained my removal from command. With what regret, nay, grief, the blow was received can be better judged than described.

I never sought to be returned to my command or to be given another military place, and have never until now related fully the story of General Grant's injustice.

I did not entertain great harshness of feeling toward Grant on account of my removal by him, because I did not believe that it was really the act of his own mind. I was certain that it was not when he assigned as the only cause, except that the corps commanders of the Army of the Potomac did not like to serve under my command, that he thought the administration of the affairs of my department objectionable, and, as he has elsewhere said, on account of my harshness. Now, as I have once before said, I had no personal administration of my department substantially after I had gone into the field, the 4th of May; and, in addition to my being reported upon favorably by the commissioner, Grant himself officially stated in a paper to go before the President that:

"*As an administrative officer General Butler has no superior. In taking charge of a department where there are no great battles to be fought, but a dissatisfied element to control, no one could manage it better than he.*"

I knew very well where the pressure came from, and also whence it got its vitality in the mind of Grant. The pressure came from his West Point staff officers, who were trying in every way to have me vilified and abused. Grant had not, theretofore, permitted that to be done, and yielded only under that pressure of ambition for the highest office which has caused so many next in position to murder their chief to attain his place. Such effects of overweening ambition are strung along as guide-posts through the whole history of the governments of the world.

That this condition of my feeling toward Grant is no afterthought of mine, and that I understood the circumstances of my removal as fully then as now, is shown by a letter written by me on the 13th of January, 1865, to Gen. John A. Rawlins, chief of General Grant's staff, who was not a West Point officer, but above them all, and afterwards became Secretary of War.[1]

I never spoke with General Grant upon these matters until shortly after his inauguration as President, when a mutual friend, Geo. Wilkes, Esq., spoke to him of the occurrence and told him of my feelings and views in regard to it. Grant said to him: "I would like to see General Butler; will he come to see me?"

"No," replied my friend, "not unless you send to him and express a wish to have him come."

Grant said: "Tell General Butler to come and see me, and say to him that I wish to have a conference with him."

"When shall I say he may come?"

"To-morrow evening, at which time I shall be at home."

I received from Mr. Wilkes the following letter on this subject: —

WASHINGTON, D. C.

HON. B. F. BUTLER.

*Dear General:* — In a recent interview with General Grant, I took the liberty of expressing the regret that any misunderstandings should continue to exist between himself and you, and particularly now, that public events required both of you to co-operate to the extent of your abilities in a common cause.

I suggested that these events and the responsibilities which they involve seemed, of themselves, to propose a reconciliation; and that I had ventured, therefore (without consulting you), to ascertain from him, if possible, whether the matters in dispute were not susceptible of explanation and adjustment.

General Grant did not at first seem desirous of conversing on the subject, but I went on to say that I knew of but two points of difficulty in the premises, the first of which was the remark in his report about your military position at Bermuda Hundred, and the other the matters growing out of the invitation to his family soiree; and here I ventured to remark, that while I was quite sure that General Butler believed himself to be entirely justified in the interpretation he had given to these incidents, I was equally certain he was under a misapprehension in relation to them both.

[1] See Appendix No. 146.

General Grant thereupon assured me I was quite correct in this last opinion. He said that the phrase in his report which had given so much offence had not been originated by him, and had not been adopted in the way of disrespect. It had been used first by General Barnard, chief of engineers, by way of illustration merely, during a consultation with him about a new disposition of the forces before Richmond. That in a few days thereafter, being himself required to make his report, he used Barnard's illustration because it was apt and on his mind, but without the slightest intention of reflecting upon General Butler.

In relation to the soiree or "reception," General Grant said that he had entrusted the matter of the invitations, as usual, to one of the members of his staff; that the officer alluded to had for his guide the cards which had been left at his (Grant's) house, the names of members of Congress, and other persons of distinction who were known to be in town. That General Butler, at the date of the party, was *not* a member of Congress; and, as his card had not been left at his house, the officer had no direct means of knowing that he was in town. For these reasons, no invitation had been sent to General Butler at the time when the other invitations were issued; but his (Grant's) attention having been called by Mrs. Grant, on the afternoon of the reception day, to the fact that General and Mrs. Butler were in Washington, he at once directed invitations to be sent to them — certainly not with the intention of showing disrespect, but with a directly opposite purpose.

I beg leave, therefore, to call your attention to the fact that General Grant has thus frankly disclaimed to me, as a declared friend of yours, any, nay, the slightest intention of reflecting upon you in the first instance, or of showing you other than entire respect in the second.

These facts are submitted to you simply as matters of fact; and they are referred, without suggestion, to your judgment by one who has complete confidence therein, and who has the honor to remain,

Very truly yours,

GEO. WILKES.

This being communicated to me, I said: "Very well; I will go and see General Grant and have a talk with him."

I called at the White House and was very cordially received. We sat down together and went over our whole past relations. I soon learned what had been impressed upon his mind as to my feelings toward him by those around him, some of whom he had discovered not to be the honorable and unselfish men he had believed them. He

asked if our former kindly relations might not be restored. I said to him that under his explanations I certainly felt greatly relieved, and I hoped that that might be the case, and would be glad that it should be so. I had had an opportunity to do a service for him, which he appreciated highly.

I was in Congress during his administration as President, in which I gave him my hearty support; and from that time until the day of his death no word of unkind difference passed between us; and I can say without fear of contradiction, that few men possessed a greater share of his confidence, or had more personal influence with General Grant upon public questions than I had.

Grant in his report of the operations of the armies of the United States, dated July 22, 1865, was thoughtless enough to use a phrase — I say "thoughtless" because his explanation which I shall set out will show that it was so done — which was used more to my prejudice with the people of the country than anything else he could have said. The following is an extract from that report: —

> On the 16th (of May) the enemy attacked General Butler in his position in front of Drury's Bluff. He was forced back or drew back into his intrenchments in the forks between the James and Appomattox Rivers. The enemy intrenched strongly in his front which cut him off from his railroads, the city, and all that was valuable to him. His army, therefore, though in a position of great security, was as completely shut off from further operations directly against Richmond as if it had been in a bottle strongly corked.[1]

General Grant makes his amendment and corrections of the whole matter in his "Personal Memoirs," [2] as follows: —

> The position which General Butler had chosen between the two rivers, the James and Appomattox, was one of great natural strength, one where a large area of ground might be thoroughly enclosed by means of a single intrenched line, and that a very short one in comparison with the extent of the territory which it thoroughly protected. His right was protected by the James River, his left by the Appomattox, and his rear by their junction — the two streams uniting near by. The bends of the two streams shortened the line that had been chosen for intrenchments, while it increased the area which the line enclosed.

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[1] War Record, Series 1, Vol. XXXVI., Part I., page 20.

[2] Personal Memoirs of U. S. Grant, Vol. II., pp. 151-153.

Previous to ordering any troops from Butler, I sent my chief engineer, General Barnard, from the Army of the Potomac to that of the James to inspect Butler's position and ascertain whether I could again safely make an order for General Butler's movement in co-operation with mine, now that I was getting so near Richmond; or, if I could not, whether his position was strong enough to justify me in withdrawing some of his troops and having them brought round by water to White House to join me, and reinforce the Army of the Potomac. General Barnard reported the position very strong for defensive purposes, and that I could do the latter with great security; but that General Butler could not move from where he was, in co-operation, to produce any effect. He said that the general occupied a place between the James and Appomattox Rivers which was of great strength, and where with an inferior force he could hold it for an indefinite length of time against a superior; but that he could do nothing offensively. I then asked him why Butler could not move out from his lines and push across the Richmond and Petersburg Railroad to the rear and on the south side of Richmond. He replied that it was impracticable, because the enemy had substantially the same line across the neck of land that General Butler had. He then took out his pencil and drew a sketch of the locality, remarking that the position was like a bottle and that Butler's line of intrenchments across the neck represented the cork; that the enemy had built an equally strong line immediately in front of him across the neck; and it was therefore as if Butler was in a bottle. He was perfectly safe against an attack; but, as Barnard expressed it, the enemy had corked the bottle and with a small force could hold the cork in its place. This struck me as being very expressive of his position, particularly when I saw the hasty sketch which General Barnard[1] had drawn; and in making my subsequent report I used that expression without adding quotation marks, never thinking that anything had been said that would attract attention — as this did, very much to the annoyance, no doubt, of General Butler, and, I know, very much to my own. I found afterwards that this was mentioned in the notes of General Badeau's

[1] It will be remembered that Barnard was the engineer sent down by Halleck on the 21st of May, 1864, to examine my defences and report whether I could move my army for offensive operations. He reported to Grant on the 24th of May recommending that "for offensive operations" twenty thousand of my troops be sent out of the bottle to reinforce and rescue Grant at Cold Harbor, which was done. And it also appears that Barnard in attempting to describe my fortifications by a picture, used this phrase, which Grant remembered and put in a report to Halleck.

It is a just criticism to say, how could the engineer officer, seeing more than twenty miles of smooth rivers to be crossed by pontoon bridges everywhere, protected by the navy, a fine harbor with quays and landings for the embarkation of troops at City Point and Bermuda Hundred, report to his general that my army was corked up as if in a bottle so that it could not be moved at all for offensive operations?

Here is another instance of an engineer picture-drawer who did me great harm, and it is the only act of his done during the campaign of 1864 that has any chance of going down in history.

book, which, when they were shown to me, I asked to have stricken out; yet it was retained there, though against my wishes.

I make this statement here because, although I have often made it before, it has never been in my power until now to place it where it will correct history; and I desire to rectify all injustice that I may have done to individuals, particularly to officers who were gallantly serving their country during the trying period of the war for the preservation of the Union. General Butler certainly gave his very earnest support to the war; and he gave his own best efforts personally to the suppression of the Rebellion.

May I ask the reader to go back with me for a few moments and look at the map of Bermuda Hundred where the exact configuration, topography, and situation of the peninsula of the Bermuda Hundred is accurately shown.[1] If he will then examine pages 627 and 628 of Chapter XIV., he will find that I met General Grant on the 1st of April, 1864, and with a map of Bermuda Hundred before him explained to him its relation to Petersburg, Richmond, and their vicinage on the James and Appomattox Rivers, showing him that by the possession of the two rivers, at a point between the Point of Rocks on the Appomattox and Osborn on the James, where the rivers were about three miles apart, a line of intrenchments could be thrown over that distance so as to make that peninsula, some thirty square miles, an intrenched camp as impregnable as Fortress Monroe. I described all its advantages and explained how his army could have a base of supplies there when it came to operate on the south side of the James. It would make a stronghold, within eight miles of the defences of Richmond by land, where his army could be encamped with safety, be defended by a small force, and operate thence by the rivers over all sides towards the North and South. This plan General Grant approved against the objections of Gen. William F. Smith.

Looking a little further on, the reader will find the order of General Grant directing me to seize City Point and fortify the peninsula so that it might be held (as was ever afterwards done) as an impregnable base of supplies and army occupation in case of disaster certainly so long as our navy could hold the river. Those intrenchments across the neck of the peninsula were made so strong that although even attacked by the enemy they were always held during the war. I was

[1] See pp. 659-662.

to put the stopper in the bottle,— that is, I was to construct the impregnable line of intrenchments.

Was that bottle Butler's or Grant's?

He thought the cork was in so strongly that afterwards he advised me that I could hold it against the army of Lee by one man to every six feet of its line. If it should be said that the enemy put a line of intrenchments in front of my line equally strong, I answer that if that had been done it would have been of no consequence. I should have been glad if they had put a Chinese wall across there without an opening in it. I had determined that they should not come in there, and I had no call to go out because I had a line of more than twenty miles on its shores guarded by our navy where troops could be embarked and where expeditions could be sent across the rivers by pontoon bridges.

I had three pontoon bridges, one across the Appomattox, during the whole time of my occupation, and two across the James, one at Deep Bottom, and one at Varina. Over these, between the 14th of June and the 25th of December, 1864, Grant ordered the following expeditions, composed of a corps or more, sometimes from both armies, to move in attack upon Richmond and elsewhere: —

May 28, Smith's corps to Cold Harbor; returned June 14.

June 9, Gillmore crossed the Appomattox and attacked Petersburg.

June 11, I sent Gillmore to attack Petersburg.

June 15, the Eighteenth Corps under Smith was sent to attack Petersburg by order of Grant.

June 16, the Sixth Corps under Wright; afterwards sent thence to Washington.

June 21, expedition to Deep Bottom, crossing the pontoon bridge to the south side of the James River.

July 14, the Eighteenth Corps, Kautz's Cavalry, attacked Petersburg, crossing the Appomattox by the pontoon bridge.

July 17, Birney's Corps crossed the pontoon bridge over the James to meet Hancock, and attacked the enemy's works on the north bank, and returned.

August 19, part of the Second and Tenth Corps crossed the pontoon bridge to attack the defences on the north side of the river around Richmond.

In August my Eighteenth Corps held Grant's lines around Petersburg while his army attacked the enemy through the mine.

September 29, the whole Army of the James, save the garrison, attacked Richmond directly, carrying Fort Harrison and the outer line of works around Richmond, which were ever afterwards held.

October 3, my Nineteenth Corps sent to defend Washington under the orders of Grant.

This does not include several minor expeditions of small bodies of troops which were from time to time sent from my intrenched camp. And added to all this is the fact that from the 15th of June, 1863, until the surrender of the army of Lee, April 12, 1865, General Grant had during the whole time his headquarters always in the "bottle," guarded by troops of the Army of the James which garrisoned the "bottle." How did he get out, as he never went through the nozzle, which was tightly corked.

I am convinced that it was Badeau who wrote the report wherein this phrase was used so much to my detriment, because Grant, who was an honest and truthful man, so far as I know, never could have written it with the knowledge he had; and I am the more thoroughly so persuaded because in the "Military History of General Grant," written by Badeau, and in the "Personal Memoirs of General Grant," of which Badeau claims the substantial authorship, the same identical words, "corked as in a bottle," are used upon the subject.

Grant, who had seen the mischief that the untruthful criticism had done me, says: —

> I found afterwards that this was mentioned in the notes of General Badeau's book [Military History of General Grant] which, when they were shown to me, I asked to have stricken out; yet it was retained there, though against my wishes.[1]
>
> I make this statement here because, although I have often made it before, it has never been in my power until now to place it where it will correct history.[2]

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[1] This is conclusive evidence that Badeau did not write "Grant's History" or any other book according to Grant's wishes, but put in matters which Grant did not wish should be in the books, against Grant's wishes and direction, to gratify his own malice and spleen.

[2] Personal Memoirs of U. S. Grant, Vol II., page 152

In Badeau's Military History of Grant there is a long and untruthful narrative showing his animus towards me, twisting and distorting every fact. All this Grant omits in his "Memoirs." [1]

I believe the reader will come to the conclusion that the "bottle" was made exactly according to the orders of Grant and according to his understanding of the situation on April 1; and also that it was

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[1] I should feel it my duty to follow the criticisms of Badeau — which I take to be the French for "dirty water" — at length, but he has destroyed himself, and I do not see how any honorable man, knowing his character from his own exposure of it, could believe a word he says, or meet him except to avoid him. Badeau found himself in the army a lieutenant of infantry, unassigned, serving as aid of Brigadier-General Sherman [not William T.]. He seems to have attached himself to Grant as a sort of military secretary. His name does not appear, even "mentioned" in the War Records of the campaign around Richmond. He availed himself of his intimacy to publish a history of Grant to his own great profit. Grant appointed him Secretary of Legation and afterwards Consul-General at London, one of the most profitable offices in the gift of the President. He remained there nine years. Hayes removed him and appointed him Consul-General at Havana, another very lucrative office, where he remained until his conduct was such as to require his resignation. In the meantime for his great services to the Union in suppressing the Rebellion he was retired as an officer of the army of rank with large pay and emolument.

He then claimed that he was employed by Grant to assist him in revising the composition of his "Memoirs," which Grant, having become entirely wrecked in fortune by the failure of the Marine Bank, in a dying condition, was trying to compose on his sick-bed, assisted by his son as amanuensis, so that the sale of the book might leave something for the support of his amiable wife in her widowhood. Grant's book, written with such heroic effort and for such a purpose, was not the book it would have been if he had had the health and strength to write it himself; but yet, as it was written under such circumstances, it was looked upon by almost every citizen to be a duty to buy a copy, and its sale fortunately was productive of quite large profit.

Badeau had received through Grant benefit and money enough that he should have gratefully written for him his whole life. But as soon as his great benefactor lay silent in the tomb, Badeau came upon his widow and family with an exorbitant claim for his services for a short time in aiding the general in revising his "Memoirs." The family resisted this demand of ten thousand dollars upon the grounds that he claimed the authorship of the book. Thereupon Badeau brought a suit for a large sum, flew into the newspapers to try his case, and in his correspondence attempted to raise such a scandal upon Grant, his family, and his "Memoirs," that the Hon. Charles A. Dana offered to pay from his own pocket the sum claimed by Badeau if he would "shut up," as Dana had grateful remembrances of his friendly relations with Grant as Assistant Secretary of War during the campaign from the Rapidan to the James.

Colonel Grant, to justify the family in their refusal to pay that large sum for Badeau's work, produced a letter composed by General Grant on his death-bed and signed by him, in which he says to Badeau: "I have voluntarily stipulated for a small compensation for the various services rendered to me; I thought and you thought the compensation large at the time." It seems Badeau had made claim on his dying benefactor, the result of which was, as Badeau says, that for two months before his death, Grant and himself had no friendly communication, and his letter seems to be the last communication between them. I do not know who in fact paid the money, but Badeau took the ten thousand dollars and did "shut up," as he would have taken anything else, I doubt not, that did not belong to him.

His next exploit was to attempt to make the government pay him a salary as a retired army officer while he drew a very large salary as Consul-General at Havana, a part of which the treasury refused to pay, and as he had in fact drawn double salary during the largest part of all these years, they sued Badeau for the money taken by him without law, so he in turn sued the United States. But the Supreme Court sat down on that performance, saying that the law forbade it but there was no law by which the same could be recovered back. [See Badeau vs. U. S. Sup. Court Reports, Oct. Term, 1888.]

I have no objection to being slandered by such a man, and therefore allow the criticisms of this unassigned lieutenant upon me to remain unanswered except by showing what sort of a creature made them.

intended by me to be exactly what it was, admittedly an intrenched camp that could not be taken by the rebels so long as the navy held the river, as it never was taken; and that General Grant regretted very much the statements made by Badeau in his report and elsewhere concerning it, so far as they reflected upon me, especially as they actually reflected upon Grant himself.

It will also have appeared that Bermuda Hundred, including City Point, was a strategic point where there could be an intrenched base



CAPT. GEORGE A. KENSEL.

in which the supplies for Grant's army could always be safe, to which he could resort, and, leaving a small garrison there, demonstrate upon Petersburg to the southerly and against Richmond northerly, as he many times did do.

After he had demonstrated at Cold Harbor that he could not drive Lee's army into Richmond, his losses being so severe, he determined to take the other alternative of the plan agreed upon April 1, which Smith himself admits was my plan of the campaign, to

make his further attacks upon Richmond and Petersburg, the capture of the latter being in effect the capture of Richmond as is now agreed. He had at that time exhausted all hope of present reinforcements, by calling upon three fourths of my effective men to be sent to Cold Harbor, where the last fight with Lee's army in the field was made.

Let us see now what in his cool judgment, after he had received all the information that the whole history of the campaign could give him, and after he knew exactly all that I had done, for I do not know that he complains of anything that I had left undone which I was ordered to do, surely never having met with any *disaster* in my movements,— let us see, I say, what were Grant's opinions of me and what his view of my military acts in his cool judgment when written through another pen than that of Badeau. In his voyage to the East, he was accompanied by Mr. John Russell Young, afterwards United States Minister to China, as his personal and valued friend. Mr. Young made minutes of his conversations, which with Grant's permission were afterwards published. In one of these Grant said: —

I have always regretted the censure that unwittingly came upon Butler in that campaign, and my report was the cause. I said that General Butler was "bottled up," and used the phrase without meaning to annoy the General or give his enemies a weapon. I liked Butler and have always found him not only, as all the world knows, a man of great ability, but a patriotic man, and a man of courage, honor, and sincere convictions. Butler lacked the technical experience of a military education, and it is very possible to be a man of high parts and not be a great general. Butler as a general was full of enterprise and resources, and a brave man. If I had given him two corps commanders like Adelbert Ames, Mackenzie, Weitzel, or Terry, or a dozen I could mention, he would have made a fine campaign on the James and helped materially in my plans. I have always been sorry that I did not do so. Butler is a man it is a fashion to abuse, but he is a man who has done to the country great service and who is worthy of its gratitude.[1]

General Grant, in an interview with John Russell Young, in New York *Herald*, 1878, said: —

[1] John Russell Young's "Around the World with General Grant," Vol. II., p. 304.

As it was, I confronted Lee, and held him and all his hosts far from Richmond and the James; while I sent, the same day of my advance across the Rapidan, a force by the James River sufficient, as I thought, to have captured all south of Richmond to Petersburg, and hold it. I believe now that if General Butler had had two corps commanders such as I might have selected, had I known the material of the entire army as well as I did afterwards, he would have done so, and would have threatened Richmond itself so as materially to have aided me farther north.

With this most thorough and full indorsement of General Grant, I might close what I have to say on this subject with satisfaction to my readers, but not with satisfaction to myself.

During my whole service in the army it was always thrown in my face by the regular officers that I had no technical military education. That meant that I had not been to West Point. Now a West Pointer if he graduated very high never was employed in the army in managing troops until our war. He was simply assigned to public works, generally of a civil description, until he was fifty years old at least. If he graduated in the next grade he was to command a battery of artillery until he was about the same age, except a few of them who served in the Mexican war. If he graduated in the next grade he was to command an infantry company, and they were so few and scattered that he got near fifty before he ever commanded a company of them as a rule, and very few of them got to be captains before they were fifty years old, and except against the Indians they never acquired any experience in the field. The lowest rank was to be a lieutenant of cavalry. So, with the exception of the Mexican veterans, there were no West Pointers at the breaking out of the war who had had any experience in the field. But during the Rebellion all was changed. It was assumed that West Point officers knew the whole art of war and were ready-made generals. McDowell was only a major in the regular army when he fought the first battle of Bull Run, and had had no experience with troops. A few — but not too many — of those officers read military books. It is wonderful how soon this claim of theirs burst out after the war commenced, and even then how little ambition for fighting these men had.

I was sent as major-general commanding to Fortress Monroe on the 22d of May, 1861, and I was told by General Scott that I was fortunate in having there some sixteen young officers who would aid

me in organizing troops. Now, of those sixteen young men, ten had had relations with General Taylor, who was commissary general of the army, and they at once got detailed to positions in the commissary department where they could buy pork and beans for the army, which was thought to be a very soft place. Four of the others got detailed into the quartermaster-general's department, where they could buy mules and hire steamboats. Two more of them got into the adjutant-general's department, where they sat at desks. There were three or four older officers, — one of whom was the lamented General Williams, of whom I have already spoken, — who had been in the Mexican War, who retained their commands in the line and took their chances in battle. Now, I am not saying one word against those young men, but I am only showing to what — for some of them afterwards were on my staff and served well — an education at West Point brought the ambition of its pupils. It was not the fault of the men, but of the system.

The claim to that superiority, because they had a regular education, broke out not always in the most polite manner. Sometimes it was discussed before me how superior all West Pointers were to volunteer officers.

I thought I would put a stop to that, so I invited some of the officers to a dinner party at my headquarters with some of my personal staff who were volunteers. I believed that at that dinner party such discussions might be renewed, so I called Captain Haggerty of my staff, a very bright young lawyer, and told him to go to the library and read the descriptions of one or two of Napoleon's famous battles, naming Marengo, and to ascertain the pivotal point or movement upon which the battles turned, so as to be able clearly to tell me what it was when I asked him. We all came to dinner in a very pleasant mood, but between one or two of the officers, regulars, and volunteers, the discussion broke out and became quite animated, and I feared it would go so far that it might become necessary for the general to take notice of it. The claim was very loudly made that nobody could be fit to command troops who had not been to West Point. I never had been there except to examine the institution, as a member of the board of visitors, having been appointed in 1857 by Jefferson Davis while Secretary of War, for my supposed military knowledge as a civilian. I at that time held the title of brigadier-general, and was

met there by General Scott, who reminded me that he was the oldest, as I was the youngest, general in the United States.

I knew the young gentlemen at the table meant no harm, but I thought it was well enough to give them a little lesson.

I said: "You gentlemen of the regulars can doubtless give me, a volunteer general, some information by answering a question. Can any of you tell me the movement of Napoleon at the battle of Marengo which was the one upon which he wholly relied for his success in that famous battle?"

They looked one to the other and the other to the one, but nobody replied. I then turned to Captain Haggerty, who sat well down the table, and said: "Captain, can you answer that question?"

"Yes, General, I think I can."

"Then explain to us what that battle was."

Haggerty gave a very exact account of it, and I said: "I am very much obliged to you, Captain. You see, gentlemen, it will be convenient during this war to have some volunteer officers along with us, so that if we get into a like predicament with Napoleon we shall have somebody who knows what was done under like circumstances."[1]

The conversation was not renewed. In due time we separated, and the question of the military superiority of West Pointers was never discussed in my hearing by that set of officers afterwards.

Now, what sort of education does the student get at West Point which enables him to perform the greatest acts of generalship quite independently of his natural abilities of which Grant has kindly given me the credit of having some? I suppose I am at liberty to take as a sample of the education acquired at West Point, that which enabled one West Pointer to outstrip all volunteer officers, and all West Pointers, engineers, picture drawers, captains of artillery, and captains of cavalry, and stand forth the greatest general of his country and perhaps of the world. Of course it will be seen that I must refer to General Grant, whom I cheerfully acknowledge to be a great general in very many respects. How much of his supremacy as a

[1] The point of this question may not be recognized by an unprofessional reader. The victory of Marengo which produced greater results to Napoleon than any in his career, was confessedly fought in the utmost confusion without any plan or order of battle, nearly lost by a series of blunders, and won by an accident of which, and over which, Bonaparte had neither knowledge nor control. Jomini calls it an affray, refusing to dignify it by the name of battle, and Matthieu Dumas says Marengo was an enclosed field in which one of two armies must perish. It is distinguished in history above all others by having nothing of the art of war in it.

war general did he get from West Point? Lest I may be accused of not making a fair presentation of the case in my statement, I give it in his own words as set down in his "Personal Memoirs": —

A military life had no charms for me, and I had not the faintest idea of staying in the army even if I should be graduated, which I did not expect. The encampment which preceded the commencement of academic studies was very wearisome and uninteresting, When the 28th of August came — the date for breaking up camp and going into barracks — I felt as though I had been at West Point always, and that if I stayed to graduation, I would have to remain always. I did not take hold of my studies with avidity, in fact I rarely ever read over a lesson the second time during my entire cadetship. I could not sit in my room doing nothing. There is a fine library connected with the Academy from which cadets can get books to read in their quarters. I devoted more time to these than to books relating to the course of studies. Much of the time, I am sorry to say, was devoted to novels, but not those of a trashy sort. I read all of Bulwer's then published, Cooper's, Marryat's, Scott's, Washington Irving's works, Lever's, and many others that I do not now remember. Mathematics was very easy to me, so that when January came, I passed the examination, taking a good standing in that branch. In French, the only other study at that time, in the first year's course, my standing was very low; in fact, if the class had been turned the other end foremost, I should have been near the head. I never succeeded in getting squarely at either end of my class, in any one study, during the four years. I came near it in French, artillery, infantry, and cavalry tactics, and conduct.

Early in the session of the Congress which met in December, 1839, a bill was discussed abolishing the Military Academy. I saw in this an honorable way to obtain a discharge, and read the debates with much interest, but with impatience at the delay in taking action, for I was selfish enough to favor the bill. It never passed, and a year later, although the time hung drearily with me, I would have been sorry to have seen it succeed![1]

We have now seen General Grant's description of his literary education in the art of war that he obtained at West Point. How was it in regard to tactics, the school of the soldier, of the company, and of the battalion? The cadets at West Point are formed in battalions commanded, in all offices of the line, by the men best versed in military tactics, in the use of the musket, in the formation of a

[1] Personal Memoirs of U. S. Grant, Vol. I., p. 38.

company, and in the movements of these companies in the battalion, the superintendent or one of his staff being commandant of the battalion.

The first promotion for a man who is a well-drilled soldier is to the rank of corporal; then if he shows capacity, to that of sergeant and then to that of lieutenant.

These officers, therefore, in accordance with their grade during the four years of their cadetship, are supposed to be the best-drilled men, and those who have made the most improvement in the art of being soldiers. The least proficient remain privates.

Let Grant tell his own story of how he rose in efficiency in the ranks: —

> I had not been "called out" as a corporal, but when I returned from furlough I found myself the last but one,— about my standing in all the tactics — of eighteen sergeants. The promotion was too much for me. That year my standing in the class, as shown by the number of demerits of the year, was about the same as it was among the sergeants, and I was dropped and served the fourth year as a private.[1]

Assuming the perfect accuracy of this, which I do not doubt in the least, I take leave to state the conclusion to which it irresistibly leads my mind: —

Grant evidently did not get enough of West Point into him to hurt him any; he was less like a West Point man than any officer I ever knew. The reader sees how much of a military education I lost in not having gone to West Point to get a military education like that of Grant. The less of West Point a man has the more successful he will be. We see how little Grant had. All of the very successful generals of our war stood near the lower end of their classes at West Point. As examples, take Grant, Sheridan, and Sherman. All the graduates in the higher ranks in their classes never came to anything as leaders of armies in the war. The whole thing puts me in mind of an advertisement I saw in a newspaper in my youth. It contained a recipe for making graham bread out of coarse unbolted flour mixed with sawdust. The recipe ended as follows: "N. B.— The less sawdust the better."

Notice how little the young student was interested at West Point, in those studies which pertained to the art of war, and in particular

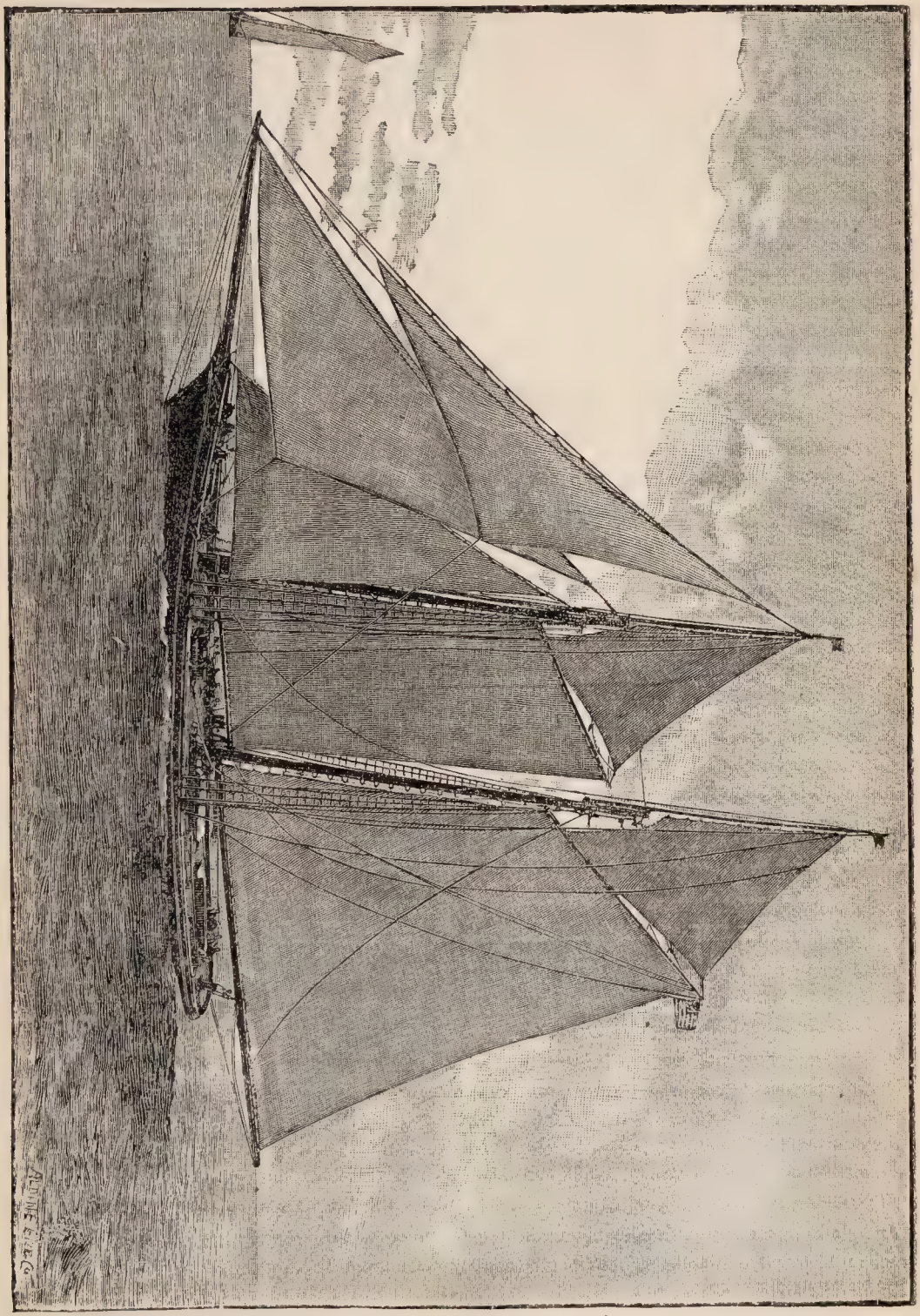
[1] Personal Memoirs of U. S. Grant, Vol. 1, p. 41.

to the handling of troops, called tactics. No grand tactics can be or is taught at that institution. Tactics is moving troops in sight of the enemy. Grand tactics is moving them at a distance and out of sight of the enemy.

It will be observed that while he was reading some very fine novels, his mind did not turn to military novels, of which there were many in the library. He does not speak of ever having read a single work describing the carrying on of war from Alexander down to Napoleon, or even the battles of the Revolution and our war with Great Britain. He got to be a second lieutenant in a company in the Mexican War, and soon after resigned his command and took employment as clerk in the office of Captain Craig, a quartermaster in the army. I am not saying one word of this in any disparagement of General Grant. I am only attempting to show what military education a man may get passing through a course of study at West Point and graduating with such military accomplishments as will entitle him to a command in the regular army, and which, when war occurs, may be the impelling motives of governors of States in appointing such persons as colonels of their finest regiments of volunteer troops.

Now I suppose I may say without offence that I had read before I was twenty-one, starting with the campaigns of Cæsar, the history of the military operations of all the principal wars of Europe, and before I went into the army had read critically two histories of the Crimean War, and the most detailed lives and military histories of Napoleon that I could get, and had made examinations of all his military movements, and had read the histories of the wars of our own country until they were nearly as familiar to me as the operations of the campaigns of the armies of the Potomac and James were afterwards. As I have said, I had passed my leisure hours in learning the school of the soldier, the company, and the battalion, and the tactics of the division, which Sherman frankly states he had never studied until after he was a brigadier-general and was drilling his brigade before Washington in 1862. Having a taste for the military art, I made this reading my principal study outside of the demands of my profession.

I had an opinion, but not founded on sufficient evidence, that I owed my removal from my command largely to Halleck. Since then, I have come in possession of part of the documentary evidence tend-



GENERAL BUTLER'S YACHT AMERICA.

ORIGINAL WINNER OF THE AMERICA'S CUP AND BLOCKADE RUNNER DURING THE WAR.

ing to sustain me in that opinion, but, I regret, not all of it, because the correspondence between the higher officers of the army has not been published down to a later date than July, 1864, and I was relieved on the 8th of January, 1865. By good fortune I got from a private source a letter[1] written by Halleck, which led me to the opinion above mentioned. This letter was written at the time that Halleck's friend Smith, of whom he speaks so highly, made his first attempt to get me removed and himself put in my place. It states a good many untruths. For instance, I had not quarrelled with anybody, even with Gillmore; I only took care to make the proper orders in due course of military usage when I found that he had not obeyed orders and lost his expedition. I had made no "demands for reinforcements" up to the time that letter was written; I had only suggested that those which had been promised me might be sent — as I have before stated. I did not ask to be sent anywhere or to do anything that Grant did not ask to have me do at that time. Halleck had received a report that I was doing my duty faithfully and well. The only thing that he ever complained of was, that there was some irregularity in the command of troops in Fortress Monroe while I was in the field. As there were no troops there to be commanded, and the fort was a depot of supplies, and as I had a very competent man there as quartermaster, a captain in the regular army, I thought that a quartermaster might be left in command, as we had absolutely no soldiers there. That was the irregularity to which he called my attention, and I promptly remedied it by removing Brigadier-General Shepley from Norfolk to Fortress Monroe to take charge of that district. I had never written Halleck an unkind letter, and had, until I saw the letter referred to, never had any unkind thoughts of him. Indeed, I knew nothing of him. I have since learned his character, which, as I always speak plainly, I find to be that of a lying, treacherous, hypocritical scoundrel with no moral sense.

Hard words, you say, General Butler. Yes; I use them when they are the only ones which ought to be used, and I only give them as expressing my opinions when the facts will justify me. These facts I will briefly set out here.

I call Secretary Stanton as a witness. He speaks of Halleck from his knowledge of him before the war. General McClellan says:—[2]

[1] See Appendix No. 82.

[2] McClellan's Own Story, p. 137.

Speaking of Halleck a day or two before he arrived in Washington, Stanton came to caution me against trusting Halleck, who was, he said, probably the greatest scoundrel and most barefaced villain in America. He said that he was totally destitute of principle, and that in the Almaden quicksilver case he had convicted Halleck of perjury in open court.

Again the editor of "McClellan's Own Story" gives testimony as to Halleck's untruthfulness. Halleck had testified against McClellan before the Committee on the Conduct of the War. The editor says in calling attention to Halleck's testimony:—[1]

That this testimony of General Halleck was distinctly false is now demonstrated beyond any dispute by the publication of his own correspondence with McClellan during the period August 26 to August 31, and by other proofs.

Again McClellan accuses him to Grant of falsehood, hypocrisy, and betrayal, and more than intimates to General Grant, who did not learn of Halleck's perfidy for some years, that he stole despatches from the office of the general-in-chief in order that Grant might not see them when he came to Washington to take that office. McClellan says:—[2]

On the morning of Sunday, March 2, 1862, desiring to give orders for the further movements of Buell's and Halleck's commands, I went to the military telegraph office — then in the headquarters of the Army of the Potomac at the corner of Pennsylvania Avenue and Jackson Square — and caused communication to be cut off from all wires except those leading to Halleck's headquarters at St. Louis and Buell's at Nashville. I then called Buell and Halleck to their respective offices, and asked for a full report of the condition of affairs, number, position, and condition of their troops, that of the enemy, etc. Buell promptly gave me the information needed. Halleck replied the same day:—

. . . I have had no communication with General Grant for more than a week. He left his command without my authority and went to Nashville. His army seems to be as much demoralized by the victory of Fort Donelson as was that of the Potomac by the defeat of Bull Run. It is hard to censure a successful general immediately after a victory, but I think he richly deserves it. I can get no returns, no reports, no information of any kind from him. Satisfied with his victory, he sits down and enjoys

[1] McClellan's Own Story, p. 539.

[2] McClellan's Own Story, p. 216, *et seq.*

it without any regard to the future. I am worn out and tired with this *neglect and inefficiency.* C. F. Smith is almost the only officer equal to the emergency.

To this I replied: —

Your despatch of last evening received. The success of our cause demands that proceedings such as Grant's should be at once checked. Generals must observe discipline as well as private soldiers. Do not hesitate to *arrest him at once*, if the good of the service requires it, and place C. F. Smith in command. You are at liberty to regard this as a positive order, if it will smooth your way. I appreciate the difficulties you have to encounter, and will be glad to relieve you from trouble as far as possible.

On the 4th Halleck telegraphed me: —

A rumor has just reached me that since the taking of Fort Donelson Grant has resumed his former bad habits. If so, it will account for his repeated neglect of my often-repeated orders. I do not deem it advisable to arrest him at present, but have placed General Smith in command of the expedition up the Tennessee. I think Smith will restore order and discipline. . . .

On the 6th Halleck telegraphed to Grant: —

General McClellan directs that you report to me daily the number and position of the forces under your command. Your neglect of repeated orders to report the strength of your command has created great dissatisfaction and seriously interfered with military plans. Your going to Nashville without authority, and when your presence with your troops was of the greatest importance, was a matter of serious complaint *at Washington*, so much so that I was *advised* to arrest you on your return.

On the 31st of March Halleck informed Grant: —

General McClellan directed me to place General Smith in command of the expedition until you were ordered to join it.

On the 10th of March the adjutant-general of the army, by direction of the President, required from Halleck a report as to Grant's unauthorized visit to Nashville and as to his general conduct. On the 15th, Halleck replied that Grant had gone to Nashville to communicate with Buell, that his motives were proper, and advised that no further proceedings be had in the case.

Now to the story which prompts me to insert these despatches. More than a year after the events in question, Franklin wrote to me that on meeting Grant at Memphis, or some such point on the Mississippi, Grant asked what had made me hostile to him. Franklin replied that he knew that I was not hostile but very friendly to him. Grant then said that that could not be so, for, without any reason, I had ordered Halleck to relieve him

from command and arrest him soon after Fort Donelson, and that Halleck had interfered to save him. I took no steps to undeceive Grant, trusting to time to elucidate the question.

In the latter part of 1866, while I was in Europe, General Grant, through one of his staff, communicated with General Marcy in regard to papers missing from the files of the office of general-in-chief during my tenure of the place.

In searching my papers, General Marcy[1] found my retained copy of the despatch of March 2 from Halleck in which he reports Grant's unauthorized absence, etc. This he forwarded to General Grant, who was thus for the first time informed of the truth. This despatch and my reply had, with many others, *disappeared* from the files in the office. So with regard to my correspondence as general-in-chief.

The military-telegraph office was first established by me, and was located, as already stated, in the headquarters of the Army of the Potomac. . . .

Some one abstracted the telegrams above alluded to. As to Halleck's conduct with regard to Grant, no comment by me is necessary. The facts speak for themselves.

Let me give General Grant's side of this transaction. He seems not to have known of it until 1866 when McClellan was in Europe and Grant applied to him to know what these disappeared despatches were, and got from him the copies, as they have been hereinbefore set out. Grant gives his version of the matter in his "Memoirs" as follows: —[2]

On the 2d of March [1862] I received orders [from Halleck] dated March 1 to move my command back to Fort Henry, leaving only a small garrison at Donelson. From Fort Henry expeditions were to be sent against Eastport, Mississippi, and Paris, Tennessee. We started from Donelson on the 4th, and the same day I was back on the Tennessee River. On March 4, I also received the following despatch from General Halleck: —

MAJ.-GEN. U. S. GRANT, FORT HENRY:

You will place Maj.-Gen. C. F. Smith in command of expedition, and remain yourself at Fort Henry. Why do you not obey my orders to report strength and positions of your command?

H. W. HALLECK,
*Major-General.*

[1] General Marcy was McClellan's chief-of-staff and also his father-in-law.
[2] Personal Memoirs of U. S. Grant, Vol. I. p. 325.

I was surprised. This was the first intimation I had received that General Halleck had called for information as to the strength of my command. On the 6th he wrote to me again: "Your going to Nashville without authority, and when your presence with your troops was of the utmost importance, was a matter of very serious complaint at Washington, so much so that I was advised to arrest you on your return." This was the first I knew of his objecting to my going to Nashville. That place was not beyond the limits of my command, which, it had been expressly declared in orders, were "not defined." Nashville is west of the Cumberland River, and I had sent troops that had reported to me for duty to occupy the place. I turned over the command as directed and then replied to General Halleck courteously, but asked to be relieved from further duty under him.

Later I learned that General Halleck had been calling lustily for more troops, promising that he would do something important if he could only be sufficiently reinforced.[1] McClellan asked him what force he then had. Halleck telegraphed me to supply the information so far as my command was concerned, but I received none of his despatches. At last Halleck reported to Washington that he had repeatedly ordered me to give the strength of my force, but could get nothing out of me; that I had gone to Nashville, beyond the limits of my command, without his authority, and that my army was more demoralized by victory than the army at Bull Run had been by defeat. General McClellan, on this information, ordered that I should be relieved from duty and that an investigation should be made into any charges against me. He even authorized my arrest. . . .

On the 13th of March I was restored to command, and on the 17th Halleck sent me a copy of an order from the War Department which stated that accounts of my misbehavior had reached Washington and directed him to investigate and report the facts. He forwarded also a copy of a detailed despatch from himself to Washington entirely exonerating me; but *he did not inform me that it was his own reports* that had created all the trouble. On the contrary, he wrote to me: "Instead of relieving you, I wish you, as soon as your new army is in the field, to assume immediate command, *and lead it to new victories.*" In consequence I felt very grateful to him, and supposed it was his interposition that had set me right with the government. I never knew the truth until General Badeau unearthed the facts in his researches for his history of my campaigns.

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[1] Halleck's complaint of me, as shown in his letter to Grant, was that I was demanding reinforcements. He evidently mistook himself for me.

Grant never forgave Halleck for his treatment of him to the day of his death. By reading Halleck's fawning despatches to Grant during the campaigns of 1864 another illustration of his character will be observed.

Let us see how he treated General Sherman, with whom he had been apparently on kindly relations. When at Raleigh, North Carolina, in April, 1865, Sherman entered into a negotiation with Johnston for the surrender of his army, and according to military usage he agreed with Johnston on a truce and the cessation of all hostilities between the United States forces and Johnston's army until the negotiation should be finished. The two generals met and entered into a convention under which Johnston should surrender his army. It was agreed to by Johnston and signed provisionally by Sherman and forwarded to Washington for acceptance.

The wisdom of that convention is a matter not here and now to be discussed; but President Johnson strongly objected to it and it was returned to Sherman through General Grant with instructions that Johnston should be held to surrender on the same terms as Lee had done, which he afterwards did.

Before Grant went down to Raleigh with those instructions, he had ordered Meade to march the armies of the Potomac and James to Burksville, a convenient point from which those armies could move on Johnston and join Sherman in case the negotiations failed.

Meanwhile Halleck had got himself appointed to the command of the armies of the Potomac and James, apparently without Grant's knowledge. He immediately went into Virginia, and ordered Meade's armies to move on Johnston, notwithstanding the existence of the truce. Sherman was exceedingly indignant, as he well might have been, and reported to Grant that he would, with his army, maintain the truce he had agreed to at all hazards of loss of life, and that while he would obey his orders and the orders of the President, he would not obey any order from Halleck. Grant advised Sherman to withdraw his report and amend it. Sherman said he would not amend it, but would let the record stand as it was written. Thereupon Halleck, being in Virginia, issued an order to Sherman's troops not to obey him, and published the order. Afterwards finding that Johnston's army had been surrendered, and being about to march his troops into Virginia, Halleck invited Sherman to Richmond to become his guest. Sherman declined, writing back that he had seen his order and was going to

march his troops into Virginia, and that Halleck had better keep out of the way because he would not be answerable for what might happen to him at the hands of some rash men in his command. And Sherman and Halleck remained the bitterest enemies until the last.

It will be seen in Halleck's letter to Grant, to which I have referred, that he says I quarrelled with everybody. If there can be found any such quarrels on my part with anybody as those of Halleck with all the generals with whom he came in contact, I will agree that I am a more quarrelsome man than Halleck suggested me to be. Witness his quarrel with Banks about the expedition up Red River. Halleck repeatedly suggested an order to be made, against the better judgment of Banks, who over and over again reported to Halleck his objections to making it. Halleck afterwards made the most slanderous reports to Grant against Banks for doing what he himself had suggested, so that Banks was removed with contumely. Halleck does not intimate in his letter that in my quarrels I lied or cheated and betrayed all my friends and even my enemies, but he did recommend that I should be sent into Rosecrans' department to have a quarrel with him, with whom also Halleck was then in a quarrel.

Before I made a movement in the campaign of 1864, as will be seen by reading the despatches to Grant, and before I could be accused of having made any failure in the field, Halleck commenced a series of despatches, which he kept up to the last, advising Grant to have me removed from the army. At last he succeeded, but only after Grant's mind had become soured by false representations of political rivalry and enmity on my part.

But, I may be asked, what was the motive of Halleck in all this? What had you done to him?

Nothing in the world. There were two vacancies in the rank of major-general in the regular army,—which I never thought of or desired,—and Grant had recommended one of his own favorites for appointment. Thereupon Halleck wrote the following letter to Grant: —

HEADQUARTERS OF THE ARMY, WASHINGTON, May 23, 1864.

LIEUTENANT-GENERAL GRANT:

What you say in your note of the 20th about the major-generals is correct. There are two vacancies. The law allows five. You filled an original vacancy, and I last year urged Sherman's name for Wool's place, but could not get him appointed. Your promotion makes a second

vacancy, and I have urged the names of Meade and Sherman, and Hancock for Meade's place as brigadier. There is some obstacle in the way and I can't remove it. I am not certain what it is, but can guess. Perhaps you will be enlightened a little by knowing what are some of the outside influences. I understand the names of Butler and Sickles have been strongly urged by politicians, in order, they say, to break down "West Point influence." It will not be difficult to draw conclusions. This is *entre nous*.

Yours truly,

H. W. Halleck.

The motive becomes clearer when he accuses with me Major-General Sickles, the hero of Gettysburg, without whose movements that great Union-saving battle never would have been fought, and who lost a limb on the field, or the battle would have been followed up, I doubt not. Sickles' friends were pressing him for a promotion thus well earned (I had none to press me), because he was a volunteer general, one of the civilian generals. But West Point must have the possession of the regular army.

This called to mind my own unfortunate condition, which was like Sickles' in this one respect. We were both prominent Democrats. War was not our *trade*. We had left our professions, where we were receiving lucrative employment very far beyond the piled-up emolument of the generals of the regular army, to give our services in doing what we could toward saving the country. That left us both without any influence of politicians, because Democratic politicians had no influence, and because we were the objects of the jealousy of the Republican politicians of our respective States.

All the generals in the army who were Republicans had members of Congress and senators of their own States to take care of their interests and advance them by every sort of Congressional action and influence upon the department. Although I served during the war and did some things which caused members of Congress of other States to bring my name before Congress, so that I received a vote of thanks in one House for my administration in New Orleans, yet any motion in my behalf, brought forward by either senator or representative from Massachusetts where all were Republicans, yet remains to be made. The nearest approach to it was this: President Lincoln recommended that one of the Twiggs swords of the

three given him by Congress before his treason, and captured by me after it, should be by that body voted to me for patriotic services. This recommendation was made by the President without any application on my part to him. It was referred by the Senate to its military committee, at the head of which was Henry Wilson of Massachusetts. He presented the bill, had it referred to his committee, and put it in one of his pigeon-holes, where it has ever since slept the sleep that knows no waking.

We enjoyed one set-off to the clannishness of West Point, and its opposition to every high officer that was not a graduate, and to the intrigues of each to pull the other down and set up himself. This was that the Confederate army enjoyed identically the same sort of setbacks from West Point, and I am inclined to think, in a degree quite as great, if not greater. There was the same opposition to volunteer officers of the higher grades, so that but one or two achieved any distinction or had opportunity so to do except, perhaps, because of political standing or as partisan leaders.

On the Confederate side, Braxton Bragg was at the ear of Davis, and was constantly maligning all the generals, especially Beauregard. Bragg was the counterpart of Halleck on our side who had the same position with Lincoln, and did his duty in the same way with great zeal, energy, and success. Longstreet and Lee were quite continually at variance, and at the close of the war, Mahone was almost the only volunteer general left in high position. His celebrated brigade was the only fighting organization left near Lee at the time he was forced to surrender at Appomattox, some of the other generals having virtually allowed their divisions to disband before the surrender; for while Lee had thirty thousand men when he abandoned the intrenchments of Petersburg on the eighth day of April, he actually surrendered, on the ninth day of April, only eight thousand of his army who gave the parole, the balance having either deserted or been abandoned.

Mahone was a railroad engineer, and held only the rank of brigadier-general, having refused several times promotion as major-general. How much his merit for leadership was recognized by Lee will presently appear. After the retreat from Gettysburg, when his army had reached Virginia, Lee manfully acknowledged that the loss of the campaign was due to his own mistaken strategy of Gettysburg, and fearing that he might have lost the confidence of his army and his

people, tendered his resignation of command of the Army of Northern Virginia to Davis, in a private note, recommending that some younger man than himself should be appointed in his stead to be the leader of that army. While Davis undoubtedly — because his views of conducting the army in the field frequently varied from Lee's — would have been glad to accept that resignation, yet he declined to do it.

Lee's social position in Virginia, his family connections, and the love and respect of the people, were all so strong that Davis felt that Lee's resignation accepted would be nearly a death-blow to the Confederacy. Accordingly he returned for answer that the loss of Gettysburg was only one of the accidents of war; that he saw no occasion for reproach of General Lee, and he begged him to withdraw his resignation. This Lee did, and continued his leadership.

In September, 1863, however, Davis desired Lee to take command of the Western army, and said in effect that his command there would be better than reinforcements by a corps. But Lee was by no means willing to be buried in the West, and Davis, in order to make Lee's position agreeable in the Army of Northern Virginia, sent Longstreet and his corps there instead.

Lee's resignation and what depended thereon was kept a profound secret. It was hardly known to any one, certainly not until long afterwards. When it did come out, however, that Lee had tendered his resignation, recommending a younger officer for the command of the Army of Northern Virginia in his place, there was great curiosity and inquiry as to who that general was.

Of the fact that some younger general was recommended by Lee at the time of the resignation, I have undoubted authority, and if anybody questions it I can make that authority known at any time.

It has come out, however, that Gen. William Mahone was the man recommended by Lee, and the statement is from Lee's own mouth. Since Mahone's change of politics in Virginia it has been most stoutly contradicted. It is but just to Mahone to say that at the time, he was ignorant both of Lee's resignation and of his recommendation.

I present here a fac-simile letter of a gentleman of the highest standing in Virginia which tells the story in such words and with such directness that nobody will have any doubt of the fact. But it

HOTEL CHAMBERLIN.
FORTRESS MONROE.

Washington, D. C. March 11th 1889

My dear General

It gives me great pleasure to hand to you a written statement of a conversation at the table of General R E Lee which years ago I stated to your wife yourself and some twenty gentlemen at your table. The occasion was the first commencement of Washington and Lee University. Gen'l Wade Hampton delivered the Address before the Literary Societies and I the Address before the Alumni Gen'l Lee gave a sort of

HOTEL CHAMBERLIN
McPHERSON SQUARE.

Washington, D. C. 188

State dinner. Thirty gentlemen.
I think I was the only officer
at the table below the rank of
Colonel. And the honor was accor-
ded to me because I was the Orator
of the day. After the cloth was
drawn, and the wine began to
circulate some gentleman a
Brigadier from Georgia (I think
it was Genl Jackson. from the
lower end of the table asked
Genl Lee if he did not think
that Gordon of Georgia had
developed the highest qualities
for Command Genl with his

HOTEL CHAMBERLIN.
McPHERSON SQUARE.

Washington, D. C. 188

habitual quiet dignity replied,
Where all did so well certainly
it would be invidious and
unpleasant for me to particularize
Genl Gordon was a brave and
efficient Soldier. Then rising
he said Gentlemen fill up your
glasses. The guests demanded that
this official dinner should be
made in accordance with rank,
Gentlemen I propose a toast
which all will drink with
pleasure to the privates of the
Army of Northern Virginia
who I still sometimes think

HOTEL CHAMBERLIN
McPHERSON SQUARE

Washington, D. C. 188

came near winning immortal
fame for us. The toast was drunk
standing. After this the conver-
sation became general and some
one down the table seemed to
be telling a good story. Genl
Hampton sat on the right and
I as orator of day on left of
Lee. Turning to Hampton Genl
Lee said something in a low
tone, I leaned back as I thought
it was possible it might be
something confidential. Laying
his hand upon my knee he said
lean over Major I only wish

HOTEL CHAMBERLIN,
McPHERSON SQUARE.

Washington, D. C. ...188

Hampton and yourself to hear.
Then "Genl Hampton, in the dark
days which preceded the fall of the
Confederacy. for a good while I
was almost hopeless. and you
know I did not spare this poor
life. for I thought it became
me to fall on one of those fields
of glory My artillery was handled
well the cavalry was in the very
hands, after the death of Stuart
that I pretended to any other.
But I often thought if a stray ball
should carry me off Who could
best commend the incomparable

HOTEL CHAMBERLIN,
McPHERSON SQUARE

Washington, D C 188

Infantry of the Army of Northern Virginia. Of course I could not nominate a successor that whole matter was ~~with~~ in the hands of the President. But among the younger men, I thought William Mahone had developed the highest qualities for Organization and Command."

The words were written down by me that evening and are in my desk at Ellwood. I write them now hastily in a public room. But I know they are accurate. We drifted so far apart politically and

HOTEL CHAMBERLIN.
MINNESOTA POINT

Washington, D. C. 18

I so entirely condemned your
policy and methods that I would
not give them to the World.
Now I cheerfully write them
and as far as I am concerned
this may be an open letter,
to the World.

Very Truly Yours
E. Horace Lacy

To General William Mahone.

is so galling to West Point on the rebel side of the house that it has been vehemently denied but never, so far as I can discover, with any evidence to support that denial.

I may not refer further to General Halleck, as he has gone to his own place.

On the 11th of January, 1865, I left my command of the Army of the James, making to my comrades an address which I beg leave here to reproduce: —

HEADQUARTERS DEPARTMENT VIRGINIA AND NORTH CAROLINA,
ARMY OF THE JAMES, Jan. 8, 1865.

SOLDIERS OF THE ARMY OF THE JAMES:

Your commander, relieved by the order of the President, takes leave of you.

Your conduct in the field has extorted praises from the unwilling.

You have endured the privations of the camp and the march without a murmur.

You have never failed in attack when ordered.

You have stormed and carried works deemed impregnable by the enemy.

You have shown the positions to be so by holding them against the fiercest assaults in the attempt to retake them.

Those skilled in war have marvelled at the obstacles overcome by your valor.

Your line of works have excited the wonder of officers of other nations who have come to learn defensive warfare from the monuments of your skilled labor.

Your deeds have rendered your name illustrious.

In after times your general's proudest memory will be to say with you: "I, too, was of the Army of the James."

To share such companionship is pleasure.

To participate in such acts is honor.

To have commanded such an army is GLORY.

*No one could yield it without regret.*

Knowing your willing obedience to orders, witnessing your ready devotion of your blood in your country's cause, I have been chary of the precious charge confided to me.

I have refused to order the useless sacrifice to the lives of such soldiers, and I am relieved from your command.

The wasted blood of my men does not stain my garments.

For my action I am responsible to God and my country.

*To the colored troops of the Army of the James:*

In this army you have been treated not as laborers but as soldiers.

You have shown yourselves worthy of the uniform you wear.

The best officers of the Union seek to command you.

Your bravery has won the admiration even of those who would be your masters.

Your patriotism, fidelity, and courage have illustrated the best qualities of manhood.

With the bayonet you have unlocked the iron-barred gates of prejudice, opening new fields of freedom, liberty, and equality of right to yourselves and your race forever.

Comrades of the Army of the James, I bid you farewell! farewell!

BENJ. F. BUTLER,

*Major-General Commanding.*

H. C. CLARKE, *Captain and A. D. C.*



## CHAPTER XIX.

### OBSERVATIONS UPON MATTERS CONNECTED WITH THE WAR.

I THINK it is due that some word should be said in particular, before closing this account of my military life, of certain gentlemen of my staff and officers who contributed so largely to any success achieved by me. I think I have sufficiently dealt with those who got in my way.

Gentlemen holding staff positions in the army, and especially at Washington in time of peace, who have been educated at West Point, in the language of General Sherman, "too commonly construe themselves into the *élite*, as made of better clay than the common soldier." I had a few of such detailed to me, but they never stayed long, and I will not trouble myself to speak of them.

My personal staff, that is, my aides-de-camp, I selected from civil life. For my field staff who should have charge of the technical matters of military campaigning, such as chief quartermaster, chief commissary, chief of artillery, chief of ordnance, engineers, surgeons, and inspectors, I took the most experienced and best officers I could get. Gallantly, well, and faithfully did they serve, evincing great ability and entire loyalty to their chief, and there were no better officers or men. But as such staff officers, they had no opportunity to distinguish themselves in their line of duty so as to come into much notice in the course of the history of military campaign, although their services were invaluable.

When I led the First Brigade of Massachusetts troops into Washington in April, 1861, I had but three staff officers. Two of these served only until the 16th of May, and when I was commissioned major-general they left. One of them, Major Haggerty, served with

me until I was relieved at New Orleans. I have had occasion to speak of him before, and now have only to add that he was a very able man, and good soldier, sometimes serving as judge advocate general.

When I took command of the Department of New England, I had as assistant adjutant-general and chief of ordnance, Maj. George C. Strong. I have said of him all I could say of any man, during the progress of this work. While I was at home unemployed in 1863, Major Strong's love of battle and hope of glory impelled him not to wait until I could have another appointment, and having been promoted he was sent to Charleston to report to General Gillmore. He was put in command of a brigade and ordered to assault Fort Wagner, where he lost his life by a wound that caused him a lingering and painful illness. Upon my recommendation the President appointed him a major-general, and his commission reached him on his dying bed.

Col. George A. Kensel was my chief of artillery and inspector-general. He was a Kentuckian, having been appointed to West Point by General Breckinridge, but was loyal to the cause. He was one of the young artillery officers who, when I went to Fortress Monroe in 1861, had accepted an appointment made through the kindness of a friend as quartermaster instead of lieutenant of artillery, which was his lineal rank.

Disgusted with his employment in substantially civil affairs, while his comrades were in the field, he applied to me for an appointment on my staff. He went with me to New Orleans, was detailed as chief of ordnance, and served with me through that campaign. He accompanied me to the Army of the James, and served there through the war. A braver or more loyal officer was not in the army. I can give no better illustration of his courage than by a short anecdote. In the movement on Drury's Bluff, which I have hereinbefore described, I had occasion to send an order in writing in great haste by a route which lay between the lines of the two armies where fighting was going on between the Tenth Corps and the enemy. Kensel was sitting beside me as I wrote the order and gave it to one of my staff, saying: "You must ride between the two lines, because that distance will be scarcely a mile. If you go the other road you will be stopped by Proctor's Creek, and have

to go around to the ford, and that will take you quite two hours." That aid was Captain Martin, who was a volunteer. I turned to Kensel and said: "My personal staff are all absent as you see. It is very important that that order shall reach Gillmore at once. The chances are very great that Martin will be killed." Tearing the written duplicate from my despatch book, I continued: "Will you please take this order, and follow Martin?" He took it without a word except to say, "Good by, General," and was soon lost to my sight in the fog. Fortunately both orders got through. Kensel died in command of a military post as a major of artillery several years after the war.

My quartermaster was a volunteer, Capt. Paul R. George, of whom I can say no more words of commendation than I have already said. He died in 1864.

My commissary was my brother, of whom I see no occasion to speak further.

My surgeon in this department was my neighbor and family physician, Dr. Gilman Kimball, one of the ablest and most skilful surgeons of our State.

While I was at Annapolis, I found it necessary to establish hospitals, meaning to make an extensive depot hospital for the sick soldiers who would be forwarded to Washington through Annapolis. I called upon the surgeon-general to furnish me a surgeon for that purpose, and was told that none could be spared, and that I must furnish myself. I called upon Doctor Kimball, who put aside his most lucrative practice, and came down there to serve his country. When I left the Department of Annapolis he accompanied me to Fortress Monroe to see to it that my hospitals were properly organized. The army hospitals there, being only for two or at most three companies of regular troops, would not answer for the sick from the ranks of fifteen thousand men. As soon as his work in organizing the hospital service there was fully performed, he returned home to his practice. When I came back to Lowell in command of the Department of New England, as it was known that I should leave that department in the course of a few months, he accepted service again temporarily in order to aid the cause. His services were invaluable to me because he taught me what a hospital should be, and the necessity of my giving active and personal attention to the

inspection of my hospitals, and I followed his suggestions in that regard during my whole term of service.

Of my personal staff, Maj. Joseph Bell left his large practice as a lawyer to go with me to the South with the New England division. If I knew any words that I could add to what I have said of him I would say them.

Capt. R. S. Davis, of Boston, was upon my staff, holding the position of assistant adjutant-general of the Department of New England, and went with me to New Orleans. He served through that campaign, joined me in the Department of Virginia and North Carolina, and served until he was relieved late in the summer of 1864 for sickness. He died in China, where he went on a mercantile enterprise.

Another of my volunteer aids who left the law books he was writing to join the service with me, was J. Burnham Kinsman, afterwards brevet major-general. He volunteered without pay and without anything but an acting appointment. He served me as long as I was in the service, and distinguished himself very greatly for gallant conduct. He was appointed by the President as lieutenant-colonel in the regular army, and attached to the staff of General Wool, and by the President's request Wool assigned him to serve on my staff. He was afterwards employed by the Secretary of War, serving him directly upon important matters where great prudence, courage, and discretion were required. For his meritorious services he was promoted to brevet major-general, when Mr. Rawlins, who knew him in the Army of the James, was Secretary of War. It was well deserved, but was not recommended by me, because I had at one time previous to his appointment an idea that my recommendation might do him more harm than good. I have already spoken of his services as I think they deserve to be spoken of.

Another volunteer aid was Lieut. Haswell C. Clarke, of Boston, quite a young man, hardly arrived at his majority. He served with me faithfully and well in the Department of New England, in the Department of the Gulf, and in the Army of the James. A brave and gallant young officer, he did his duty thoroughly and acceptably wherever he was called.

At my request and by the designation of General McClellan,

there was added to my staff at New Orleans as engineer, Gen. Godfrey Weitzel, in commendation of whom as an officer and a loyal friend I can say no more than has been said of him in previous chapters. He also died while serving as brigadier-general in the regular army.

While at New Orleans, Col. J. W. Shaffer, a personal friend of Mr. Lincoln, was detailed to me as chief quartermaster, in which capacity he served upon my staff. He also went with me to the Army of the James, and was there promoted to be chief of my staff. He served as such until he went home in the summer of 1864 suffering with a disease which afterwards caused his death, having been appointed governor of Utah Territory. His services, although not of a character that makes men so distinguished in a campaign as to find a place in history, were of the greatest value in whatever position he found himself.

With Colonel Shaffer there was sent to me Brig.-Gen. J. W. Turner. He had graduated at West Point. He was my chief commissary, and afforded me very great and efficient aid in seeing to the provisioning not only of the army, but of a large portion of the people of New Orleans, including a very great number of dependent negroes. His services were such in his department that personally I had no occasion for thought of any danger that my commissariat would not be ready for any emergency. When Colonel Shaffer left, he acted as my chief of staff. His services were so valuable in the field while serving in the Army of the James that he was promoted to brigadier-general. He afterwards became major-general commanding a division in the Eighteenth Army Corps, and distinguished himself in action on several occasions. He was detailed from Bermuda Hundred to go over with his division to hold the lines while Grant's troops left them to attack the enemy on the occasion of the explosion of the mine. Finding that there was no movement of the enemy toward the point occupied by his troops, he went over and entered the mine after the explosion, when the cavity was filled as if with a swarm of bees by the colored soldiers, and there was no general of division or brigade or field officer in that mine but himself, and he had no business to be there. He was an intelligent and capable military officer, and possessed a further qualification — he was a good business man. After the war was over he went to

Chicago, and established himself in business there. Later he was called to St. Louis, where he was put at the head of public works of that city, and where he now lives with his family deserving many years.

I had another volunteer aid in New Orleans, Capt. John Clark, who acted as assistant commissary. He had been editor, and I think proprietor, of the Boston *Courier*, and when I seized the *Delta* newspaper he and Lieutenant-Colonel Brown, of the Eighth Vermont, volunteered to keep up the publication as a Union journal. They did it with exceeding ability and success, and I have a lively and strong remembrance of the aid they gave me through that newspaper in writing truly the state of things in New Orleans. Captain Clark died soon after the war.

When I got to New Orleans I had not with me a single surgeon who had ever treated a case of yellow fever. I made an appeal to the surgeon-general to send me an army surgeon if he had one who was able to deal with what I looked upon as the most dangerous foe to my army. Through the necessary detentions and delays of official correspondence, it was many weeks before I received a reply, so that I had to make all my dispositions against that enemy before I got any assistance of professional skill. But when it did come it brought Dr. Charles MacCormick. He was a man very considerably advanced in years, who had been a surgeon in the United States Army for quite a long period, and had been stationed at New Orleans during the great epidemic of yellow fever which more than decimated the city in 1853, of which I have spoken. Doctor MacCormick deserves that a book should be written upon his services, for they deserve much more than the brief notice my limits will permit me here to give. He was exceedingly efficient in organizing the hospitals for which I had taken possession of some of the largest buildings in the city, notably the St. Louis Hotel. He gave me great confidence because he entirely approved of what I had done, and relieved me from the load of care and anxiety which was added my labors. He went with me to the Army of the James, and such were his exertions that we had an army in better health than any other army in the field. He continued to serve with me until his own health failed. He died in the city of New York several years after the war. He was one of the truest friends I ever had.

Lieut.-Col. Jonas H. French was also upon my staff for a short time in New Orleans after he had been deprived of his command of the Thirty-First Massachusetts Volunteers by Governor Andrew. When General Shepley was designated by the President as Governor of Louisiana, Lieut.-Col. French was promoted from acting provost marshal on my staff to the post of provost marshal general of the State of Louisiana, and remained in that office when I left New Orleans. To his energy and ability the quiet and good order of the populace of New Orleans may be largely ascribed.

Col. S. H. Stafford, of a New York Regiment, who had been acting as assistant provost marshal, took Colonel French's place on my staff when he was promoted, and showed himself to be a brave, determined, and thorough executive officer who fully executed the duty devolved upon him by all orders. Afterwards he commanded a brigade in Hinks' division of colored troops in the Army of the James. He is not now living.

I had detailed upon my staff Lieut. J. W. Cushing, of the Thirty-First Massachusetts Volunteers, as acting chief quartermaster, and Lieut. James E. Esterbrook, of Worcester, of the Thirtieth Massachusetts, as acting chief commissary, who served until the detail from Washington of Shaffer and Turner.

When I was sent to New Orleans I had three brigadier-generals assigned to me: Gen. J. W. Phelps, Gen. Thomas Williams, and General Sherman. The latter died from heart failure very soon after he joined me.

I had no better soldier or officer, none in whose care I felt any more safe to leave everything in possession, than General Phelps. I had got him his promotion in 1861, and asked to have him transferred to the Army of the Gulf. He had but one fault: he was an anti-slavery man to a degree that utterly unbalanced his judgment. While in command of a portion of the troops on Ship Island in the Gulf of Mexico near the State of Mississippi, he, in the winter of 1861–62, upon his own motion, issued a proclamation of emancipation of the slaves. No notice was taken of it, as it was simply a dead letter. He disciplined his troops very admirably, and upon my arrival in New Orleans, I put him in command of the forces stationed above the city at Carrolton. The history of that command I have already stated. Differing with me on the slavery questions

because I held that nothing could be done about freeing the slave, except through the President, he resigned his command and reported to Washington to argue the question with the President, so that I lost him. He is now deceased.

Of General Williams and his services I said all that ever can be said in my general order of notice of his untimely death.

Gen. George F. Shepley was promoted to be brigadier-general and at the same time was appointed Governor of Louisiana.

I would that space permitted me to speak in detail of other officers, regimental commanders, etc. But they made their own mark, especially in the histories of their several regiments, and as I cannot speak of all as I would do, it would seem invidious to mention any.

In November, 1863, when I relieved General Foster in the command of the Department of Virginia and North Carolina, he took his personal staff with him, and the departmental staff reported to me.

Most of my staff at New Orleans whom I have already noticed were assigned to duty, and need not be further mentioned.

Maj. J. L. Stackpole, the judge advocate-general of the Department of Virginia and North Carolina, who had been acting as provost judge, I replaced with Major Bell, and remitted Major Stackpole to his duties as judge advocate-general, in the performance of which I found him one of the most competent officers that I have ever seen filling that position. He was faithful, diligent, and a good lawyer, and he retained his position during my command. He now pursues his profession in the city of Boston, with the esteem of all who know him.

I also found upon the departmental staff Lieut.-Col. Herman Biggs, chief quartermaster, a thoroughly able and efficient officer. I shall never cease to remember with gratitude his great aid in enabling me to make the expedition, of which I have heretofore spoken, up the river with the Army of the James to City Point.

I found Lieut.-Col. John Cassels as provost marshal of the department. I did not reappoint him when I made up my staff.

There are no more arduous duties in the administration of a military department than those devolving upon the provost marshal. He is charged with the arrest of all citizens whose doings make such action necessary, and also to put in close confinement the officers

or soldiers whose detention may be ordered. He is charged with the duty of breaking up all irregular places in which any infractions of the law either military or civil are carried on. In short, he is the chief of police of the department, and he is also charged with the prosecution of all civil offences before the provost court. If he is an honest and efficient man that makes him exceedingly obnoxious, so that my experience was that if no complaints were made against a provost marshal he clearly was not doing his duty.

I had scarcely taken possession of my office before the traders, sutlers, liquor dealers, and citizens who had been dealt with before the provost court came flocking in with complaints against Colonel Cassels. He, of course, was an utter stranger to me, and if I put him in charge of the office, it would result in his having in his possession very considerable amounts of money to be accounted for, and I knew bribes would be offered to induce him to wink at all sorts of transgressions. I thought it my duty, therefore, to investigate fully without saying anything to him and even without letting him know that I was investigating him, until I should come to something on which I could base a serious charge. I therefore announced an officer of the Twenty-Seventh Massachusetts as provost marshal, and that sent Colonel Cassels back to his regiment, the Eleventh Pennsylvania Cavalry.

I had brought with me some secret service men on whom I could rely, but who were not announced to be on my staff, or even to be known to me by sight. I had one there before I came, for the purpose of investigating certain matters in regard to the recruitment of negro troops. I investigated every complaint made regarding Cassels that was not utterly frivolous, and I came to the conclusion that these complaints were beyond all question the ebullitions of spleen or hatred. Among other things Cassels was charged with having taken a sum of money from one man, another sum from another, and so on, always for his own use; but by an examination of the records of his office, which had been placed in the hands of the acting provost marshal, I found that in every instance the sums were not only admitted to have been taken, but that he had charged himself with those sums on the books to be turned over on the settlement of his accounts. I finished my examination about 11 o'clock

P. M., on the 8th of December, and sent an orderly to Colonel Cassels' tent with directions that he should report to me forthwith. He immediately reported to me, and I said to him: "You are appointed lieutenant-colonel and aide-de-camp on my staff, and detailed as provost marshal of the department. You will proceed to duty to-morrow morning. I have examined all the complaints against you, and I believe they are all unfounded, and that you are an honest man."

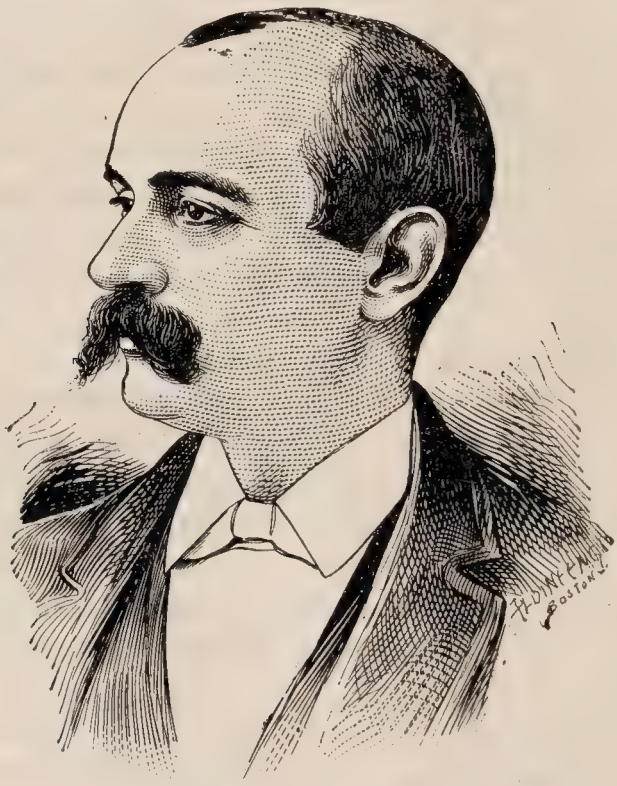
He held that office, and fulfilled its duties to my entire satisfaction so long as I was in command. When I was relieved his accounts and conduct were investigated at great length in the most vindictive manner, but nothing was developed to his discredit.

I ought not to forget the unwearying pains taken to serve me and the faithful endeavor of my two assistant quartermasters, Capt. William H. James at Fortress Monroe, and Capt. George S. Dodge, who was assistant quartermaster during the campaign at Bermuda Hundred. Captain Dodge is deceased. Captain James is an honored business man in Philadelphia.

Lieut. Frederick Martin was a volunteer lieutenant on my staff. For gallantry of conduct as well in New Orleans as in the Army of the James, I promoted him to be aide-de-camp with the rank of captain and had him assigned as commissary of musters, the duties of which he performed to my entire acceptance. I have spoken of Colonel Kensel as having carried a second order through a line of fire on May 16, 1864; Captain Martin was my aid who took the first one.

In the early part of the campaign two very young men came to me with high recommendations. One was Sidney B. DeKay, of New York, whom I accepted as an aid although he had not reached his majority. His services were so energetic and faithful that he remained on my personal staff until the last. After the war was over, a war broke out between Turkey and Greece, and he went to Athens and took a position in the Greek army, serving with great distinction until he received an accidental wound from the falling of a carbine which disabled him from further service. Later he served as assistant district-attorney of the United States of the city of New York, and remained one of my most valued friends until his death, a short time ago.

The other was Mr. John I. Davenport, of Brooklyn, New York, who came to me as a stenographer. I soon employed him in ascertaining the strength of Lee's army, and put him at the head of my Bureau of Information with the rank of lieutenant, and made him my military secretary. His capacity, which he has shown since for many years, so that he has made a proud name for himself in the service of the government as chief supervisor of elections in the city of New York for many years, coupled with his great energy, enabled him to render



JOHN I. DAVENPORT.

almost invaluable service to the country. I showed his reports of the condition of Lee's army in our front to General Grant, and after examining them and comparing them with the information received from his own source, Grant said: "This is a more accurate roster of the strength of Lee's army than I believe Lee himself has." Our strong, personal friendship, only increasing in strength, remains to this day.

I have no occasion to remark here upon the good conduct of my several commanders of corps, divisions, brigades, and regiments of

the Army of the James. I cannot give space to speak of them all as I would wish to do, but that is not necessary, for they made history for themselves wherein their great services appear; and I have mentioned many of them in this, my own history, as it progressed. If I had only had as corps commanders at first, men like those who were my corps commanders at last, and almost without exception their subordinates, the Army of the James would have had a more brilliant story told of the results of their bravery, conduct, and efforts in the service of their country.

By the middle of January, 1865, to Grant and to all who knew the condition of the Confederate army and the impossibility of their recruiting more soldiers, it was evident that Lee must abandon Petersburg and Richmond and take a position further south, coming, if possible, in conjunction with Johnston. It was also apparent that as soon as he began that retreat and could no longer fight behind intrenchments, he would be easily defeated, by reason of the increased morale of our army derived from following him, and by reason of his great want of supplies. As the winter had been a very rainy one, the roads he would have to go over would be almost impassable early in the season; consequently he must wait until milder weather and the drying up of the mud before he could make the move. So confident was Grant of this that early in March he recalled Sheridan with his ten thousand cavalry. Sheridan had been operating in the Shenandoah Valley, and came down toward the north side of the James River so as to join Grant at once with his whole force. As soon as Sheridan's horses had been rested and his army had been refitted, Grant, fearing all the time that Lee would escape him, commenced a series of operations on Lee's right flank to drive him into Richmond and hold all communication on the south side. Hence the battle of Five Forks, which was successful. Lee made a counter attack on Grant's right wing, which was at first quite successful, his lines being broken through the day so that Meade was cut off from his headquarters; but that disaster was soon repaired. From that moment Grant had no further doubt of the end and was very much concerned lest Lee should vacate Petersburg in the night and escape him, of course abandoning Richmond. Grant was being all the time reinforced by troops from the North and other sources, while Lee could get no more reinforcements. This impossibility of

obtaining reinforcements led Lee to make a proposition to the Confederate government to arm the slaves as a last resort, but this was rejected.

I had anticipated this condition of want of reinforcements of the Confederacy, and in a conversation with General Grant many months before, I stated to him that Lee could get no more reinforcements unless they should arm the slaves. I had long previously told him that by their conscription they had already robbed the cradle and the grave to get troops, which phrase Grant says in his Memoirs he copied from me.[1]

Although I had no command in the army assigned me and had not asked for any, I retained the full confidence of the President, and from time to time when I happened to be in Washington, where indeed I was much of the time, he talked with me very freely. In those conversations I assured him that it was only a matter of months, if not of weeks, when the question would be before him on what terms a peace could be concluded. He said he cared for but two things: That the power of the United States over its territory should be acknowledged by the several Confederate States, and thus the Union be preserved; and that his emancipation proclamation should be agreed by the rebels to be the law of the whole land. Beyond these two things, but one question disturbed him, and that would not arise until peace was established. He told me that he had met, in the last of January, the Confederate commissioners who came to Hampton Roads to treat of peace, and that he informed them very distinctly of these terms, and that he stated to them he would substantially leave to them all other terms upon which they could come into the Union and consent to live with us as a part thereof.[2]

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[1] Personal Memoirs of U. S. Grant, Vol. II., p. 435.

[2] His proposition made to the rebel commissioners at Hampton Roads, as Grant reports it, (Personal Memoirs of U. S. Grant, Vol. II., pp. 422, 423), was that "there would be no use in entering into any negotiations unless they would recognize, first, that the Union on a whole must be forever preserved, and, second, that slavery must be abolished. If they were willing to concede these two points, then he was ready to enter into negotiations, and was almost willing to hand them a blank sheet of paper with his signature attached, for them to fill in the terms upon which they were willing to live with us in the Union and be one people."

These terms got into the newspapers in a more or less exaggerated form, and caused a great deal of excitement in the North. They were looked upon as being a giving up of the war in this, that these men who had fought us for four years, and whom we had conquered, should then say upon what terms they would come and live with us as one people (i.e., the terms upon which they would permit us to live with them as one people), so that many, many harsh things were said against Lincoln in the press of the country, and among the people, especially the radical portion who were now in majority, which pained him very much.

A conversation was held between us after the negotiations had failed at Hampton Roads, and in the course of the conversation he said to me : —

"But what shall we do with the negroes after they are free ? I can hardly believe that the South and North can live in peace, unless we can get rid of the negroes. Certainly they cannot if we don't get rid of the negroes whom we have armed and disciplined and who have fought with us, to the amount, I believe, of some one hundred and fifty thousand men. I believe that it would be better to export them all to some fertile country with a good climate, which they could have to themselves.

"You have been a stanch friend of the race from the time you first advised me to enlist them at New Orleans. You have had a good deal of experience in moving bodies of men by water,— your movement up the James was a magnificent one. Now, we shall have no use for our very large navy ; what, then, are our difficulties in sending all the blacks away ?

"If these black soldiers of ours go back to the South I am afraid that they will be but little better off with their masters than they were before, and yet they will be free men. I fear a race war, and it will be at least a guerilla war because we have taught these men how to fight. All the arms of the South are now in the hands of their troops, and when we capture them we of course will take their arms. There are plenty of men in the North who will furnish the negroes with arms if there is any oppression of them by their late masters.

"I wish you would carefully examine the question and give me your views upon it and go into the figures, as you did before in some degree, so as to show whether the negroes can be exported. I wish also you would give me any views that you have as to how to deal with the negro troops after the war. Some people think that we shall have trouble with our white troops after they are disbanded, but I don't anticipate anything of that sort, for all the intelligent men among them were good citizens or they would not have been good soldiers. But the question of the colored troops troubles me exceedingly. I wish you would do this as soon as you can, because I am to go down to City Point shortly and may meet negotiators for peace there, and I may want to talk this matter over with General Grant if he isn't too busy."

I said: "I will go over this matter with all diligence and tell you my conclusions as soon as I can."

The second day after that, I called early in the morning and said: "Mr. President, I have gone very carefully over my calculations as to the power of the country to export the negroes of the South, and I assure you that using all your naval vessels and all the merchant marine fit to cross the seas with safety, it will be impossible for you to transport them to the nearest place that can be found fit for them,— and that is the Island of San Domingo,— half as fast as negro children will be born here."

"I am afraid you are right, General," was his answer; "but have you thought what we shall do with the negro soldiers?"

I said: "I have formulated a scheme which I will suggest to you, Mr. President. We have now enlisted one hundred and fifty thousand negro troops, more or less, infantry, cavalry, and artillery. They were enlisted for three years or for the war. We did not commence enlisting them in any numbers until the latter part of 1863 and in 1864. I assume that they have a year at least on an average to serve, and some of them two to three years. We have arms, equipment, clothing, and military material and everything necessary for three hundred thousand troops for five years. Until the war is declared ended by official proclamation, which cannot be done for some very considerable time, they can be ordered to serve wherever the commander-in-chief may direct.

"Now I have had some experience in digging canals. The reason why my canal, which was well dug, did not succeed you know. My experience during the war has shown me that the army organization is one of the very best for digging. Indeed, many of the troops have spent a large portion of their time in digging in forts and intrenchments, and especially the negroes, for they were always put into the work when possible. The United States wants a ship canal across the Isthmus of Darien at some proper and convenient point. Now, I know of a concession made by the United States of Colombia of a strip thirty miles wide across the Isthmus for that purpose. I have the confidence of the negroes. If you will put me in command of them, I will take them down there and dig the canal. It will cost the United States nothing but their pay, the clothing that they wear will be otherwise eaten by the moths, the arms are of no worth, as we have



EMANCIPATION PROCLAMATION.

so many of them in excess; the wagons and equipments will otherwise rust out. I should set one third of them to digging. I should set another third to building the proper buildings for shelter and the rest to planting the ground and raising food. They will hardly need supplies from the government beyond the first season, having vegetable supplies which they will raise and which will be best for their health. After we get ourselves established we will petition Congress under your recommendation to send down to us our wives and children. You need not send down anybody to guard us, because if fifty thousand well-equipped men cannot take care of ourselves against anybody who would attack us in that neighborhood, we are not fit to go there. We shall thus form a colony there which will protect the canal and the interests of the United States against the world, and at least we shall protect the country from the guerilla warfare of the negro troops until the danger from it is over."

He reflected a while, having given the matter his serious attention, and then spoke up, using his favorite phrase: "There is meat in that, General Butler; there is meat in that. But how will it affect our foreign relations? I want you to go and talk it over with Mr. Seward and get his objections, if he has any, and see how you can answer them. There is no special hurry about that, however. I will think it over, but nothing had better be said upon it which will get outside."

"Well, then, Mr. President," I said, "I will take time to elaborate my proposition carefully in writing before I present it to Mr. Seward."

I bowed and retired, and that was the last interview I ever had with Abraham Lincoln.

Some days afterwards I called at Mr. Seward's office, reaching it, as near as I can remember, about two o'clock in the afternoon. He promptly and graciously received me, and I stated to him that I came to see him at the request of the President, to place before him a plan that I had given to the President for disposing of the negro troops.

"Ah," he said, "General, I should be very glad to hear it. I know Mr. Lincoln's anxiety upon that question, for he has expressed it to me often, and I see no answer to his trouble. But you must excuse me this afternoon; it is mail day, as we say in the department, and I have got some important letters to write so that they may reach New York to-morrow morning. Come and take an early

dinner with me at six o'clock, and after dinner we will discuss the matter at our cigars."

Shortly before six o'clock, however, as he was returning from his drive, he was thrown from his carriage by his horses becoming frightened and running away, and was so seriously injured that his life was despaired of. He lay on his sick-bed until the 14th of April, when Lincoln was assassinated, and he himself was so brutally assaulted that he was detained in bed for many weeks afterwards.

Meantime, Mr. Lincoln had gone to City Point and remained absent several days, returning only to meet the assassin's pistol.

On the night of the 14th of April, I took the train at Washington for New York, and in the morning met in the train the newspapers announcing the assassination. On the night of April 16 I returned to Washington in order to be present to give any assistance in this crisis of the country.

I remained in Washington for some time in conference with Mr. Stanton, who was the moving spirit of that day, and with President Johnson. Previous to this time I had had no special relation with Johnson, but the fact that his oft-repeated declarations upon taking the presidential office, that the Rebellion must be subjugated, and the traitors must take back seats, were in the line of my own thought, brought me into conference with him. I believed those were his true views of the situation and that he thought the Rebellion ought to end, as it should have, in subjugation, so that all the Confederate State governments should be wiped out as well as the Confederate government. The governments of those States were part and parcel of the Confederacy and should, in my view, have been entirely obliterated. I thought enough of the army should be retained to provide a stable military government for the South until the white men should be taught what loyalty to the Union was, and I believed that the negroes should be taught what their position as citizens was before the right of suffrage should be accorded to them. I advised and so urged that the States in rebellion should be divided into territories held under military control for a sufficient length of time to teach them that the lost cause and the lost Confederation was utterly obliterated and to be forgotten. I advised that those territories should be given specific names. For instance, Virginia should be the territory of Potomac; North Carolina, the territory of Cape

Fear; South Carolina, Georgia, and Florida, the territory of Jackson; Louisiana, the territory of Jefferson; Texas, the territory of Houston, and Arkansas, the territory of Lincoln. I believed that the lines of those territories should be so drawn as to cut up the boundaries of the original States so that there should be nothing of State pride left. By their proceedings the people of these States had forfeited all honorable mention, and when they should be fit to come back into the Union,— which they would have been at an early day,— they should come in with the boundaries and names given, and that would have blotted out forever all brotherhood of Confederation against the United States.

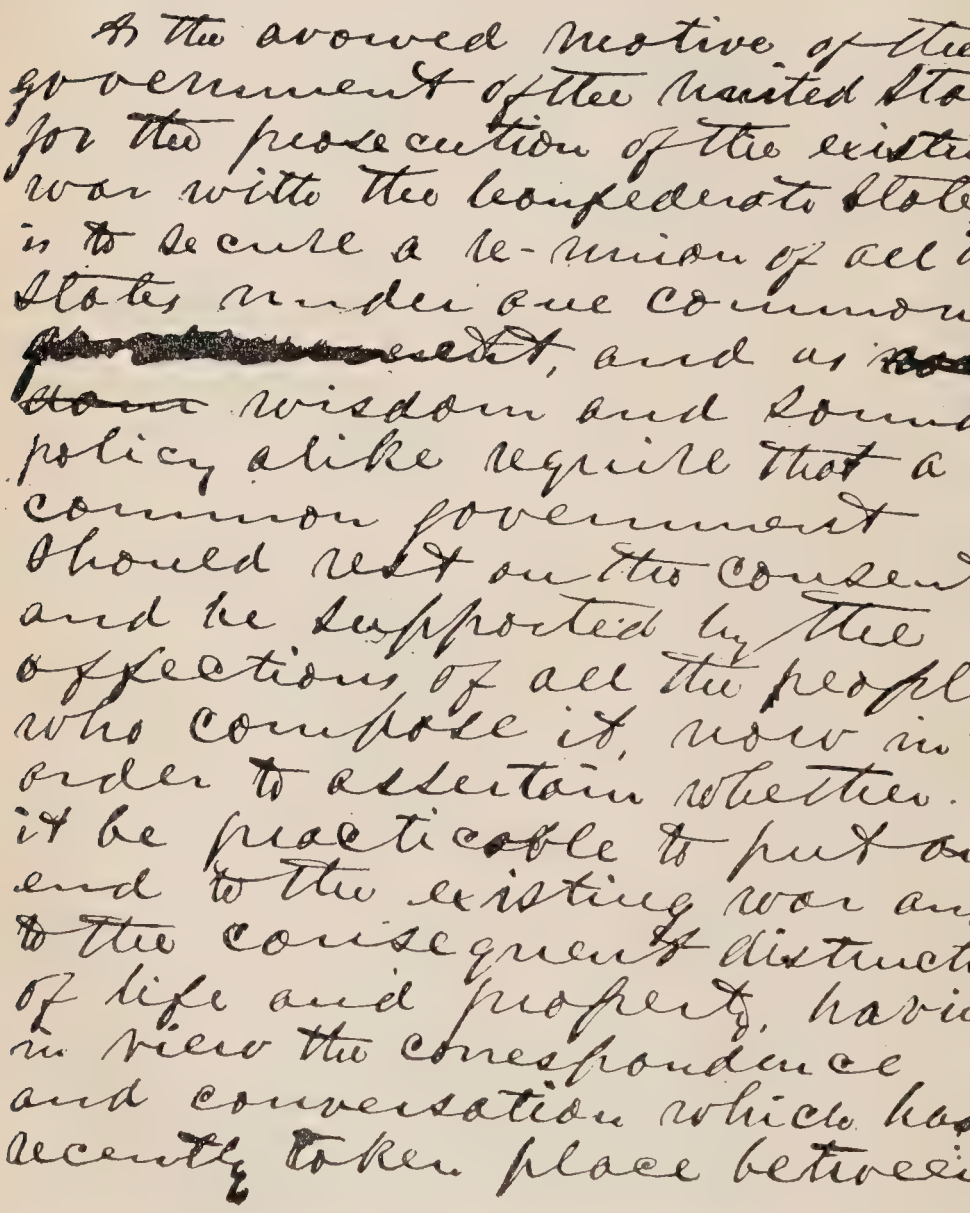
I would have confiscated the real estate of all those who had voluntarily taken an active part in the Rebellion. I would have permitted all to run away who desired to and expatriate themselves as they had tried to do by bloody war,— and some of them by so going away justified the propriety of my suggestion. Their lands so forfeited I would have divided among the private soldiers of the army, to be theirs at the end of five years of occupation.

The terms of surrender of Johnston's army agreed to by Sherman[1] I would have revoked, as President Johnson did with the advice of his Cabinet, but I should not have advised that Halleck be sent down to violate a truce, as was done, because that was breaking faith. But there was a justification for the action of Johnson and his Cabinet in going so far as they did. I know the information upon which they acted. They were informed of the fact that Johnston called to his assistance the cabinet of Jeff Davis to draw those terms of surrender, and they were drawn by Mr. Reagan, one of the members of Davis' cabinet. As evidence, fac-simile of them is produced on the next three pages by courtesy of Brev. Brig.-Gen. H. V. Boynton.

It is true Sherman does not copy Reagan's words exactly, but he copies his paper so far as the substance is concerned, wording it differently so as to make it his own, or, as Johnston says, to make it fuller, and he adds that Sherman wrote his copy with Reagan's before him. These terms had been submitted to Davis and his cabinet, and they were of the unanimous opinion that such terms would restore State governments to power and give the Confederacy a chance for existence. Especially would they save slavery, because when the

[1] See Appendix No. 147.

[Fac-simile of the original draft of Sherman's terms with Johnston, as drawn by John H. Reagan, the Confederate Postmaster-General.]



As the avowed motive of the
government of the United States,
for the prosecution of the existing
war with the Confederate States,
is to secure a re-union of all the
States under one common
[redacted], and as
wisdom and sound
policy alike require that a
common government
should rest on the consent
and be supported by the
affections of all the people
who compose it, now in
order to ascertain whether
it be practicable to put an
end to the existing war and
to the consequent destruction
of life and property, having
in view the correspondence
and conversation which has
recently taken place between

Major General W. T. Sherman and myself, propose the following points as a basis of pacification.

1st The disbanding of the Military forces of the Confederacy; and

2nd The recognition of the Constitution and authority of the government of the United States, on the following conditions

3rd The preservation and continuance of the existing State governments.

4th The preservation to the people of all the political rights and rights of person and property secured to them by the constitution of the United States and of their several States.

5th Freedom from future prosecution or penalties for their participation in the present war

6th Agreement to a general suspension of hostilities pending these negotiations.

General Johnston will see that the accompanying memorandum omits all reference to details, and to the necessary action of the States & the preliminary reference of the proposition to General Grant for his consent to the suspension of hostilities, and to the government of the United States for its action. He will also see that I have modified the 1st article, according to his suggestion, by omitting the reference to the consent of the President of the Confederate States, and to his employing his good offices to secure the acquiescence of the several States to this scheme of adjustment and pacification. This may be done at a proper subsequent time.

April 17th /65.

John M. Negley

Confederate State governments were once restored to power then they could establish slavery in their several States, and under the Constitution, as it then stood, the United States could not abolish it.

President Johnson and his Cabinet understood that there was some agreement expressed or implied among the leading officers of Sherman's army whom he had called together in conference, that the army should sustain these terms. They also knew that a paper had been circulated among the commanders making a closer union upon that subject. They further knew the obstinacy of Sherman in sustaining his opinions, and they feared this. Indeed, they looked upon it as almost treasonable in intent, which I did not. They knew also what is disclosed in the agreement, namely, that Sherman proposed to his leading officers, and they agreed to it, that a ship should be provided at Charleston for the escape from the country of Davis and such of his cabinet and others as chose to go with him.

Now Davis was intent upon getting to Texas and there making new headway against the United States, and he was so far committed to the plan that after the surrender of the army he made his flight in order to get to a vessel on the Florida coast and sail for Texas, and there, west of the Mississippi, to continue to prosecute the war.

They also felt it important to take away the command of his army from Sherman, and they were justified in coming to that conclusion, certainly, because Sherman had written that if the government should undertake to break the truce with Johnston that he had declared, he would resist it. That was in his official report to Grant, and when Grant asked him to change it, saying that he thought that language was unnecessary, Sherman said: "He [Halleck] knew I was bound in honor to defend and maintain my own truce and pledge of faith *even at the cost of many lives.*"

I insert here the reasons given by the authorities at Washington for rejecting the convention of Sherman and Johnston which, as I have said, was unanimously accepted by the rebel cabinet, and the rejection by one cabinet and the acceptance by the other arrived at Raleigh on the same day, and before they had heard of the assassination of Lincoln:—

First. It was an exercise of authority not vested in General Sherman, and on its face shows that both he and Johnston knew that General Sherman had no authority to enter into any such arrangement.

Second. It was an acknowledgment of the rebel government.

Third. It is understood to re-establish rebel State governments that had been overthrown at the sacrifice of many thousands of loyal lives and immense treasure, and placed arms and munitions of war in the hands of rebels at their respective capitals, which might be used as soon as the armies of the United States were disbanded, and used to conquer and subdue loyal States.

Fourth. By the restoration of the rebel authority in their respective States, they would be enabled to re-establish slavery.

Fifth. It might furnish a ground of responsibility by the Federal Government to pay the rebel debt, and certainly subjects loyal citizens of the rebel States to debts contracted by rebels in the name of the States.

Sixth. It put in dispute the existence of loyal State governments, and the new State of West Virginia, which had been recognized by every department of the United States Government.

Seventh. It practically abolished the confiscation laws, and relieved rebels of every degree who had slaughtered our people, from all pains and penalties for their crimes.

Eighth. It gave terms that had been deliberately, repeatedly, and solemnly rejected by President Lincoln, and better terms than the rebels had ever asked in their most prosperous condition.

Ninth. It formed no basis of true and lasting peace, but relieved the rebels from the pressure of our victories, and left them in condition to renew their effort to overthrow the United States Government and subdue the loyal States, whenever their strength was recruited, and any opportunity should offer.

Sherman believed that the terms would be accepted as those of a military convention which could not well be disregarded; and in his letter to Johnston of April 21, 1864, he says:—

Although strictly speaking, this is no subject of a military convention, yet I am honestly convinced that our simple declaration of a result will be accepted as good as law everywhere. Of course, I have not a single word from Washington on this or any other point of our agreement, but I know the effect of such a step by us will be universally accepted.

I have put forward these facts because I think they justify the President and Secretary of War in their action, and in some degree excuse General Sherman by taking away implications of bad motives. I do this under some little pressure of conviction against him, be-

cause, as has been seen, my terms of acceptance and capitulation would have been very different from his. And although subsequent events have shown me that the States have got together again never to be disunited, yet I think we should have much sooner come together and without the harshness of feeling which has existed so long between the North and the South, and without the horrible butcheries of the negroes that have taken place. For the two races of the South have not got together, and I feel that there is great danger they will not do so save by another conflict of arms.

After the capture of Jefferson Davis *en route* across the Mississippi to carry on the war, he was held in close confinement for almost two years in Fortress Monroe and a part of the time in irons. Although an "outlaw," I have always regretted this, for the chains were not necessary for his safe keeping, and I have a horror of punishing men before they are convicted either by imprisonment or by the enormous bail imposed by some foolish judges of the lower order, not as a means of restraining the prisoner, but by way of expressing their horror of the crime with which he is charged. I do not know how far I should have been stirred in the direction of putting Davis in chains had I stood beside the death-bed of Mr. Lincoln as did Stanton, who fully believed for months that Davis incited the crime, which beyond all controversy now was not the fact.

While President Johnson held to the opinions originally expressed that traitors must take back seats and be punished, and while he had Davis in custody and the general impression of the people of the North was that Davis was implicated immediately or remotely in the fact of Lincoln's death, the President was much embarrassed as to what he should do with Davis and in what manner he should be tried. His acts of treason had all been committed in the Southern States and by the Constitution he must be tried, if tried by a civil court, by a jury of the vicinage of those acts. There certainly could not be a jury got in those States fairly impanelled, some of whom would not have been of his political faith, and interference with the selection of the jury by the prosecutor or otherwise was of all things the most to be condemned.

Mr. Johnson, on the recommendation of Senator Wade, who at the first of his administration was his warmest supporter, but when Johnson changed became one of his bitterest foes, sent for me as a

lawyer to consult with him on this question. We talked over the difficulties of this position and the effect. As it would not do to try Mr. Davis by a negro jury in Virginia, and as such a trial, continuing perhaps at great length and occupying the public mind, might cause great bitterness of feeling especially in the South, he asked me if I could devise a way in which it might be best legally brought to trial so as to give him a fair trial, and requested that I should give some attention to that subject.

After reflection and examination of the subject, I suggested to him that this might be done: Davis, while making his escape, was captured as a prisoner of war. He was confined in Fortress Monroe, a garrisoned fort of the United States in the military district of Virginia, where his criminal acts, if any, had been perpetrated, then and ever afterwards under martial law. As the war still existed, the President as commander-in-chief might call a military commission in due form to advise him what should be done in regard to the offences of Mr. Davis against the Constitution and laws both civil and military. That commission should be composed of five, seven, or nine, of the major-generals in the army, to be selected by the President, to pass upon the facts and give him advice as to what he should do. This is all that a military commission can do, and is what was done in the case of Major André, a captured prisoner of war in the Revolution, the commission in his case being headed by General Lafayette. And as to the conduct of such a commission on the trial, I supposed that the fact of my being the senior major-general of the army might put me at the head of it. If so, I should conduct it substantially in this way: Charges should be preferred against Mr. Davis, of committing treason in carrying on war against the United States in the district of Virginia, and the overt acts alleged against him should be his reviewing of troops in arms against the United States and giving orders to them in person as the commander in that district. The proof of those facts would be easy and certain even if they were denied. The other fact necessary for a conviction would be his oath of office as Secretary of War of the United States wherein he had sworn to bear true faith and allegiance to the Constitution of the United States.

I assumed that when Mr. Davis was brought before that commission duly convened under proper orders, and allowed counsel of his own

selection, the first thing that would be set up would be the objections to the jurisdiction of the military tribunal.

To that the tribunal should answer that being ordered there by the President of the United States to do what they were doing, they were not at liberty to disobey the orders of the commander-in-chief.

That the next thing that would be set up would be the legal existence of the Confederate government, and the rights of the State to secede, and his acting in conformity with the directions of his own State after secession.

To that it should be answered: "All of us sitting here have fought four years to decide those questions in the negative, and therefore it would be useless to have them argued here.

"In answer to the charges preferred against you, do you wish to deny the facts to be true as set out therein? If you do you are at liberty to call for proofs."

I assumed that he would not deny any of the facts. If he did they could be established in an hour's time.

Then he should be asked: "Have you any further facts to set up in justification of your action thus proved? If so, let your witnesses be called." His witnesses having been heard, the commission would order him to proceed with his defence.

After the hearing the commission would order the prisoner to be remanded and would enter into consultation. I assumed that the result would be, that we should come to the conclusion to advise the President that he was guilty of the acts alleged against him, and that he would then be called before the commission and informed of the conclusions of the commission substantially in the following form: "After considering your case the commission will advise the President and Commander-in-Chief that you are guilty of the treasonable acts alleged against you in the manner and form in which they are set forth, and will advise that he should proceed with your execution by hanging on a day to be by him fixed. But the commission is not insensible that you have raised some very important questions of law, and we wish to do everything we can to give you the advantage of them by a decision of the highest tribunal. We therefore notify you that we shall advise the executive to give time in which all that has been done here can be brought before the Supreme Court of the United States in some proper manner, of which there are several, concerning which your

learned counsel will instruct you. And if that Court shall decide any one of the questions that you have raised here in your favor, or that in anything this commission has over-stepped its power in doing any act or omitting to do anything which it should have done according to its powers and duty, so that your trial has not been a fair and just one according to military law and usage, the President will be advised in any such case that you be discharged and go of these accusations without day, and if he deem it expedient that he grant you executive clemency."

I said: "If that is done in due order, Mr. President, no man will say that Davis has not had a fair trial, and you will have referred the question of his guilt to the highest court of the country and will be at liberty to act at your discretion under the best guides you have. At any rate you will have lifted the burden of this case from yourself to the courts."

The President said that he thought well of this plan and would take it into consideration.

Soon after this he began to waver in his determination that treason should be punished and traitors take back seats, and the commission was never called together. I understood that Mr. Secretary Welles alone of the Cabinet objected to my plan and said the trial must be by jury under the Constitution.

## CHAPTER XX.

### CONGRESSMAN AND GOVERNOR.

IN 1863 I provided myself with a piece of land on Cape Ann, on the northeast coast of Massachusetts, for a summer home for myself and family. I pitched my tent on the southerly side of it next to Ipswich Bay, a beautiful and picturesque piece of water, where the sunsets are equal to those of the Bay of Naples. With my two boys and their tutor I established myself in this tent on the beach as a seashore home. We all neglected that residence somewhat in 1864, but then we were occupying a tent with the Army of the James in Virginia. In the summer of 1865 we were on Cape Ann again, where we spent a very delightful season in sailing and fishing, and the full enjoyment of a free life. This residence was about forty miles from my home at Lowell, and outside of the congressional district in which that city is situated. When autumn came we struck the tent, and afterwards I spent the winter at Washington before the courts there. In 1866 we returned to our tent, and in fishing and fowling spent another summer delightfully. That fall came the election for representatives to Congress.

I had no wish or desire to antagonize the sitting member from the Lowell district, the Hon. George S. Boutwell, in his re-election. But the Hon. John B. Alley, who then represented the district where my tent was, familiarly known in Massachusetts as the Essex district, informed me that he did not desire to be a candidate again, and asked me if I would like to succeed him. Reflecting upon the matter, and feeling a little curiosity to know whether I could be elected in a district where I was only a carpet-bagger, I said I would try it.

The convention was called, and without any special effort I was nominated. There was a large Republican majority in that district,

so that, in spite of the carpet-bagism, I was elected to Congress while I lived in the tent on the beach. Appeal was made to the executive that the certificate of my election should be withheld because I was not a resident of that district. That, I answered, was nobody's business but the electors', and upon that question nobody could decide but the House of Representatives. More than that, there was no constitutional inhibition upon any citizen of the State being elected to Congress to represent any part of the State. So I got my certificate in due form, and entered Congress in 1867.

The Hon. Schuyler Colfax was elected speaker of the House. I was put upon the committee on appropriations, and devoted myself to the duties of that committee with great diligence during the Congress. I also gave attention to the current business of the House, receiving perhaps more attention from the House than is usually accorded to a new member.

My attention was very early called to two great matters: First, whether the bonds of the United States should be paid in gold and silver in preference to the other debts of the United States. Second, what were the legal tender notes of the United States; were they constitutional currency, money, or were they only promises to pay?

I early took the proposition that there was no difference between the legal tender notes of the United States and gold and silver as money. The proposition of the bondholders that their debts against the United States were more sacred than any other, and that they should be paid in specie while the pensions and other just debts of the United States were not to be so paid, I combatted and resisted. But there were more bondholders in Congress than a majority of each House, and they naturally had their way.

I urged that the greenbacks were constitutional currency of the United States, and therefore the lawful money of the United States. Upon this question controversy arose, and it was discussed in Congress and the newspapers in the bitterest manner. The legal tender notes were called "rag-baby currency"; it was said that no honest man could stand by it as money; that they were forced loans, broken promises to pay; and that banknotes should be substituted for them, in other words, that the promise of a national bank to pay a given sum was better than the promise of the United States, when all that made a national banknote worth a dollar was, that it was endorsed

by the United States to be redeemed in legal tender notes. It was claimed that the only authority for issuing such notes was the war power under the Constitution, and that all that were issued during times of peace were simply valueless and would be so held by the Supreme Court. The contest about the currency lasted during my whole congressional life.

Immediately there came a division in my congressional district upon these questions. I proclaimed myself there and everywhere a greenbacker, and that term was applied to me everywhere as the last term of ignominy. The banking interests organized a split in the Republican party. The Democrats had quite a following there, and it was thought better to have a Democrat elected by withdrawing the Republican votes from myself than to have so pestilent a greenbacker represent that solid old Republican district in Congress.

Therefore, Mr. Richard H. Dana, Jr., a gentleman of very respectable talents indeed and of considerable learning, and one who prided himself on his ancestry, was procured to run against me. He was supplied with money for the purposes of an electioneering campaign, and used it with great liberality. We canvassed the district, but not together, but we answered each other's speeches on alternate nights to different audiences. The people gathered around me; the bondholders gathered around him. It was evident that if he could not get the people away from me his votes would be scarce. He himself claimed to be of the aristocratic class in Massachusetts, and he attempted in his speeches to put himself on a level with the common people for the purpose of getting their votes, and his efforts afforded me infinite amusement as I replied to him.

He went among the workingmen of Lynn, who are almost all shoemakers, and showed how well he knew the manner in which people liked to be approached by those who seek their votes. He undertook to answer a charge made against him of being an aristocrat and wearing white gloves and holding himself apart and above the people. He laid himself out in the speech in which he did this, and it was the most amusing one I ever read. He said in substance: —

Fellow-citizens, I am accused of being an aristocrat. It is said that I wear white gloves. Well, I shall have to plead guilty to that last charge. I do wear white gloves for the purposes of society. You are told that I go about dressed in a very expensive, cleanly manner. I assure you, fellow-

citizens, that when I was a young man, and was a sailor before the mast on the coast of California, it became a part of my labors to carry raw-hides down the banks to the sea, and wash them, and put them on board the vessel, and I had to put them in a pit to do so, and when I was washing them and stamping out the filth, I assure you, fellow-citizens, I was as dirty as any of you. But how does my opponent live? If you will come down to my cottage at Manchester-by-the-Sea and visit me, I will take you in my one-horse wagon and drive you around the town and show you our beaches, which are a very pleasant sight, my friends; but as we are riding along over our seashore roads we will hear a noise behind us and turning around see a carriage with two or four horses driven at full speed and with perhaps out-riders on horseback, and it will come dashing by us covering us with dust, and in that carriage will be my opponent.

The next evening, before another audience, it came my turn. I said something like this: —

My neighbors and friends! My opponent last night in defending himself from the accusation of being an aristocrat, admitted to you among other things that he wore gloves for the purposes of society. Now, I want to say to you that I wear gloves as well as my opponent, but I wear them to keep my hands warm, and I advise you to do the same. As to the averment that it is necessary to be dirty in order to get to be your equal, I assure you I shall not have to get into a manure pit to be fit to associate with you, but simply be a respectable, well-clad, decent American citizen, who knows that one man who behaves well and does his duty to his country and his family is as good as another. As to horses, fellow-citizens, when I came down here into this district from Lowell, where I used to live, I brought my horses with me, and I thought I had a good span; but when I got among you I found that my constituents had better horses, and I proposed to get as good a pair as I could, and I have got a good pair, and if you will come down and ride with me I assure you we won't take anybody's dust.

I instance this as some of the amenities of the stump speaking of the campaign.

Mr. Dana was beaten out of sight. When the next elections came I supposed the contest would be given up. At least, I was so assured by the Republican State Committee, and as the Republican National Committee wanted my services in Indiana, and promised to



VIEWS AT GENERAL BUTLER'S HOME AT LOWELL. LIBRARY.

take care of my district, I spent many weeks in the Western States. I spoke on the platform there and made a great many personal friends whether I made any Republican votes or not. But I returned only to find that in the meantime my district had been stolen away from me. This was in the year 1874, the off congressional year. It was the year of the first congressional election after the inauguration of the President, and according to the almost universal law the administration was beaten, and there was an opposition majority in the House, many of the congressional districts having changed from the Republican to the Democratic party.

My friends were very much more chagrined than myself. They gathered around me and said they would see that I was nominated and elected from that district the next time beyond all dispute. "No, gentlemen," said I, "I am very much obliged to you for all you have done for me, but I would not represent this district again if I could have every vote cast in my favor. I have made your district of some consequence in the Congress of the United States, and I now propose to let it take care of itself. But I am going to be a candidate for the next Congress from the district where I have always lived, man and boy, to see whether they will take me after my apparent desertion here."

At the proper time the canvass was opened, and I was regularly nominated in the Republican convention by a fairly counted majority of votes. Whereupon up started the Hon. Ebenezer Rockwood Hoar, who had been an office-holder nearly all his life, and wanted to be the rest of his life by getting Grant to appoint him as associate justice of the Supreme Court of the United States, while he was attorney-general, but whose confirmation for reasons affected by public policy and private wishes I had caused to be rejected by the Senate. Mr. Hoar thought this election would be a good time to revenge himself upon me. There was a very popular Democratic friend of mine running against me, who had every element to draw to him the strength of his party. So Mr. Hoar called together some of his friends in a Boston hotel and had himself nominated as the bolting candidate of the Republican party. He had before been elected to Congress in that district or perhaps he might have succeeded in beating me. But my constituents knew him too well, as they had had enough of him.

He announced himself in a speech which was very bitter and derisive towards me. Of course it was published and circulated. In answer to it I sat down and wrote him a letter which I regret I cannot spare the space to reproduce here as an exhibit of what can be done to a political opponent when a man of any resources sets himself earnestly at work to do it.

Harvard College was called upon to do missionary work in my district to push Mr. Hoar, who was one of its fellows. Money was forthcoming, as it usually is when that class of people undertakes to influence and control the elective franchise.

I had substantially none of the Republican orators of the day with me because they were all busy trying to elect Mr. Hayes as President. The result followed that while Mr. Hayes got a very large vote, Mr. Tarbox as my congressional Democratic opponent got also a very large vote. But my self-constituted opponent, Mr. Hoar, got hardly enough votes in the district where he lived to count for mile-stones.

With that term ended my congressional career, and I thought, as I had given ten years to the country in Congress, I had done all that should be required of me.

But to return to my position in Congress. In 1867 the question of the impeachment of Andrew Johnson began to be discussed. Indeed, its discussion was in large part rendered possible by his performances in a western tour in advocacy of his own re-election. They disgusted everybody. Meanwhile Johnson undertook to quarrel with Stanton and depose him as Secretary of War. Congress resisted that, and Stanton stuck to his office. His efforts to remove Stanton caused a resolution for Johnson's impeachment to pass through the House of Representatives by a large majority. The ablest men of the house, barring myself, were elected on the board of managers to present and advocate articles of impeachment to the Senate.

I did not quite agree to the articles presented or to the doctrines which were the guides by which they were presented. A great many men in and out of Congress, especially college professors, who always claim to know more about free trade and government than any practical man in the country, held that "high crimes and misdemeanors" named in the Constitution must be some crimes that were known in the catalogue of offences punishable by imprisonment

or penalties, and that the President could not be impeached unless it could be shown that he had done something for which he might be brought before a court and indicted and sentenced to pay a fine at least.

Let me illustrate: The President in their view could be impeached for stealing a chicken, because there is a penalty attached to that by the law; but if he broke his constitutional obligations to his country in any form however gross, an offence not punishable by law, he could not be impeached. Many articles were written to establish this doctrine.

I held entirely different opinions. I believed that the framers of the Constitution, knowing full well the parliamentary and common law of England, which permitted the impeachment of any high officer for any misdemeanor in office or any act detrimental to the crown or country, had with that same view put the words "high crimes and misdemeanors" into our fundamental law wholly regardless of technicalities, so long as these offences were such as would affect the dignity and purity of conduct in office. When the board of managers met, Thaddeus Stevens, of Pennsylvania, the "great commoner," as he was styled, wished to be chosen chairman of the board as he had drawn up one of the principal articles of impeachment. While he was a very great man he was very erratic, and the majority of the board was in favor of the appointment of the Hon. Geo. S. Boutwell, of Massachusetts, afterwards Secretary of the Treasury, or of the Hon. John A. Bingham, of Ohio. And I suppose it is no harm to state at this day that considerable acrimony arose between the managers on the subject. I took no part in this because I was desirous of having my own place in the first presentation of the case to the Senate. This would insure my putting the evidence before the Senate in the trial.

The House insisted upon immediate prosecution. We had but three days then in which to get our case ready and prepare the opening arguments for its presentation before the highest court of justice in the land. We spent most of the morning over the question of selecting the chief manager, in selecting the Hon. Thaddeus Stevens chairman of the board, who was to make the closing argument in behalf of the House. That having been settled, I said: "But who is to make the opening argument, and put the case in form for presentation in the

Senate. There are less than three days in which to prepare it. Who is anxious for that place?" There were not many candidates for that labor and I said: "Very well; I suppose as usual the opening of the case will fall upon the youngest counsel, and that is myself." The members of the board unanimously said: "Will you undertake it?" "Yes, if the board desires it, and no one else will take it, I will." It was agreed upon that I should prepare the case and make the opening argument, and I thought that it would not be of much consequence after that was done who did the rest. And thus I became the leading figure of the impeachment, for better or worse.

The three days devoted to the preparation of this case were three of the hardest labor of my life. Of those three days I used only nine hours to sleep, and I was working under many disadvantages. But I had a corps of faithful stenographers around me, and, fortunately, the Hon. William Lawrence, of Ohio, a man of a good deal of learning and industry, assisted me in getting together all the legal authorities bearing upon the subject. I was so sure when I came away from home that there would be an impeachment during that session that I took to Washington with me my copy of the English state trials so as to have them handy, and they were of great service to me.

No member of the board of managers called upon me to offer any aid, although Governor Boutwell did call in towards the night of the third day to inquire how I was getting along in the work, and whether it would be necessary to move the Senate for a postponement. "By no means," said I, "you will remember that we promised the Senate we would be ready without any delay, when we were discussing the fixing of the time for the trial."

Another great difficulty was the crowd of newspaper men who were trying to get at me and at my speech which was to be printed at the government printing-office before its delivery. Hundreds of dollars were offered to get a copy of it. But with the aid of my private secretary we devised means by which it could be kept away from everybody except those who worked on it and put it together. It was put in type in disconnected parts, no one part being complete in itself or having anything to do apparently with the others, there being no connection between them. But the key to the connection was held by us, so that at last when the proofs were completed they

were pasted together in their proper and consecutive order. While it was being printed, one of my friends was standing beside the matter in the printing-office from the time it was put on the press until every copy printed had been delivered to him and the type had been distributed.

I was ready at the appointed hour. When I entered the Senate chamber from the vice-president's room the scene was almost appalling to one who had to address such an audience. The floor of the Senate chamber was filled because the House attended in committee of the whole; the galleries were also crowded with those interested in the case, and the ladies' gallery shone resplendent with bright, beautiful women in the most gorgeous apparel. I came as near running away then as I ever did on any occasion in my life. But summoning up such courage as I could, I stuck to my post and addressed the Senate in a speech of two hours' length, of which forty thousand copies were ordered by the House the next day for circulation throughout the country. The board of managers occupied the floor of the Senate chamber at the left of the chief justice. On the right sat Attorney-General Stanbury, Mr. Evarts of New York, Judge B. R. Curtis, of Massachusetts, Judge Nelson, of Tennessee, and other gentlemen, counsel for Andrew Johnson, President of the United States.

I had brought it to the attention of the board of managers that we should have Mr. Johnson brought in and placed at the bar of the Senate to be tried according to the forms of the English law, — or as Judge Chase had been tried when Aaron Burr presided over the Senate, — and required by the presiding officer to stand until the Senate offered him a chair. But our board of managers was too weak in the knees or back to insist upon this, and Mr. Johnson did not attend.

The morning after the opening of the argument, I asked one of the board of managers, a very clever gentleman, to have the kindness to offer a piece of written evidence, but his hand shook so while he was examining the paper that I concluded to relieve him. As to myself, I came to the conclusion to try the case upon the same rules of evidence, and in the same manner as I should try a horse case, and I knew how to do that. I therefore was not in trepidation. When I discussed that question with the managers they seemed to be a good deal cut up. They said: "This is the greatest case of

the times, and it is to be conducted in the highest possible manner." "Yes," I said, "and that is according to law; that is the only way I know how to conduct a case." Finding me incorrigible, they left me to my devices.

There is no occasion for my taking up time or space in giving the details of the case. They were all printed and can be found in the congressional reports in any respectable library.

Upon the close of our case, the opening argument for the defence was presented by Judge Curtis, and it is due to the truth of history to say, as I once before remarked, that after he had presented the case of his client, in my judgment nothing *more* was said in his behalf, although in the five or six closing speeches presented by his other counsel much *else* was said.

The trial went on, such evidence as we thought proper being presented. Mr. Stanbury, the attorney-general, presented most of the evidence for the defence. As to the method of its production, I objected to much of it as I would in any other court, and the report will show that most of my objections were sustained by the Senate. Then all the counsel for the defendant, except Mr. Curtis, made closing arguments in defence of their client; each of the managers on the part of the House, save myself, made an argument in closing the prosecution, and the question was submitted to the Senate.

After some deliberation by the Senate a vote was taken resulting in one vote less than a majority of two thirds for conviction.

Johnson had been suspected by many people of being concerned in the plans of Booth against the life of Lincoln or at least cognizant of them. A committee — not the board of managers — of which I was the head, felt it their duty to make a secret investigation of that matter, and we did our duty in that regard most thoroughly. Speaking for myself I think I ought to say that there was no reliable evidence at all to convince a prudent and responsible man that there was any ground for the suspicions entertained against Johnson. On the day of the assassination Johnson was in Washington, residing at a hotel known as the Kirkwood House. Booth shot Lincoln at Ford's Theatre a few blocks away from the Kirkwood House at ten o'clock at night. At nine o'clock the same night Booth called at the Kirkwood House and left his card for Mr. Johnson,

who was not in, though it could not be ascertained by the committee where he was. The card was put in the proper box for the delivery of all such matters in Mr. Johnson's room, and he never saw it. This fact was substantially all the evidence which would tend to implicate him.

After the capture of Atzerott and other fellow-conspirators with Booth, it was confessed by some of them that Atzerott was to have attacked Johnson. But as he did not, that should end the belief that there had been previously a conspiracy to abduct Lincoln, and that this scheme to kill him and Seward was substituted for it almost within the day when it was to be carried out. It seems to me that the call of Booth and his leaving a card might have been only for the purpose of finding out whether Johnson was at home. We felt it a duty to the country that nothing should be said or done to give a foundation for any such suspicion against its President — certainly not without the most overwhelming proofs.

In 1867 there was pending before Congress a proposition so to change the law as to pay the issue of five-twenty bonds of the United States to the amount of fifteen thousand millions made by the terms of the act authorizing them payable in twenty years at six per cent. interest, both principal and interest payable in lawful money, and they were sold at a little more than the ten-forty bonds, that is, bonds payable in forty years in gold or silver, principal and interest at five per cent. By this change of law the five-twenty bonds, although sold to the bankers at a discount of sixty and seventy per cent., more or less, were to be paid in gold and silver, which made the interest, in fact, nearly treble. I looked upon the proposition to be an enormous robbery of the people for the benefit of the bankers, without justice or reason. I made an impromptu argument in my first term in Congress upon that question and the currency in reply to Mr. Blaine of Maine. There were a majority of bondholders in both houses of Congress. I take leave to append extracts of the principal portions of that speech.

Mr. Chairman: Having been so pointedly and directly called upon by the gentleman from Maine [Mr. Blaine] to reply in some small degree as I may to his criticisms upon what he has been pleased to term my financial scheme, I may have to ask the House,— as I have neither a speech written nor printed, and speak, therefore, with great slowness, because

one cannot speak glibly on the grave subjects of finance, unless he speaks from a written or printed paper — to thus hear me.

The gentleman from Maine seeks in the first place to meet this great question of the finances of the nation, more important than any question we have settled except the question of slavery, by an argument to the prejudice of the House, knowing full well that the gentleman from Ohio [Mr. Pendleton] may have some theories on this question and political opinions in general which are distasteful to this House. He has sought to prejudice the argument at this point by coupling the views expressed by me with those expressed by the gentleman from Ohio. Now, why should he do that if he has a good case? My argument, sir, will be neither better nor worse, my views are neither more nor less correct, because they are agreed to by a gentleman from the West with whom on other questions I disagree. It is because the gentleman from Maine attempts to meet this question, I respectfully submit to the House, not by argument, but by prejudice.

The views entertained by Mr. Pendleton and the views which I have put forth differ in this: so far as I understand him — and if I do him wrong it is because I have not seen any authoritative exposition of his position — he would issue legal-tender notes to an amount sufficient to take up all the national interest-bearing bonds that may become due; he would by the fiat of the government issue promises to pay without interest, to be used as currency in excess, it may be, of the wants of the country, to cancel the interest-bearing debt. The only proposition which I hold in common with Mr. Pendleton is that by the law of the land and by the legal interpretation of the words of the contract five-twenty bonds are payable, not in coin, but in lawful money of the United States.

Now, there are three grounds upon which the gentleman from Maine [Mr. Blaine] insists that the five-twenties are not payable in the lawful money of the United States. He says first, by the letter of the law the five-twenties are payable in coin. Let us carefully examine that proposition. And in order to understand precisely how the law applies, take it with you that up to the time of the issuing of the five-twenties no loan of the United States had ever been issued payable in anything else than coin. The gentleman says no loan had ever been issued in which anything was said as to what was the currency in which it was payable. Why? Because up to that time there was never any currency known to the Government of the United States other than coin. Therefore the seven-thirties of 1861 and the six-twenties payable in 1881, with all the debt prior to the war, were, in letter and in spirit, payable in coin. Because Congress in issuing them was dealing with a condition of things and

a currency then existing, and therefore the 1881 sixes are payable, according to the fair spirit of the contract, in coin. Therefore I enunciate, as my first proposition, and one that I shall endeavor to enforce on the House and the country, that every dollar of indebtment of the United States which is contracted by the acts of Congress making it payable in coin shall be paid in coin although it takes the last dollar to pay it; but every debt contracted not payable in coin shall be paid in the lawful money of the United States, such as you paid your soldiers with and such as you furnish to your citizens; such as alone is now used as money of the government, and upon which alone you impress the image and superscription of the government as a guarantee that it shall hereafter be made good.

Now, then, when the argument is pressed upon me that in the loan bills passed previously to the five-twenty loan nothing was said as to the currency in which the bonds should be paid, I reply that there was but one currency at the time they were passed in which they could be contracted or payable. But that state of things changed on the 25th of February, 1862. The Congress of the United States had to provide means for carrying on the war; accordingly it passed a law, the first section of which provided for $150,000,000 of legal-tender notes, the language of which, as to their validity and effect, is in these words: —

"And such notes, herein authorized, shall be receivable in payment of all taxes, internal duties, excises, debts, and demands of every kind, due to the United States, except duties on imports, and for all claims and demands against the United States of every kind whatsoever" —

Except what?

"except for interest upon bonds and notes, which shall be paid in coin; and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interests as aforesaid."

These are the provisions of the first section of the act, thus creating "a lawful money," payable and receivable for every debt, public or private, known to the law or known in the United States, except what? Except interest on the bonds and notes of the United States.

Now, what does the second section provide? It authorized $500,000,000 of bonds registered or coupon, payable at the option of the United States in five years, and in twenty years at all events. Payable how? Let me read again, so that I may not be mistaken: —

"to an amount not exceeding $500,000,000, payable in twenty years from date, and bearing a rate of six per cent., payable semi-annually."

Not a word is here said as to the money in which these bonds shall be paid, either as to principal or interest. And why? Because the very section preceding had provided that the interest of all notes or bonds of the United States should be paid in coin, and had further enacted another lawful money which should be receivable in payment of all indebtment of the United States whatsoever, except duties on imports, and interest on the public debt. Is not the principal of the debt an indebtment other than interest?

There is the plain letter of the law. I need not discuss this point further. If there is any lawyer who, reading this law without taking into consideration anything except what stands on the statute-book, will tell me that this law enacts that the principal of the five-twenties is payable in coin, then "for him have I offended," and either he is or I am so stupid as not to be worthy of an argument.

But the gentleman does not leave his proposition upon this only. The next ground he puts it on is, what this or that congressman said or omitted to say in his speech as to the currency in which this loan should be paid. And the first evidence of the contract he puts forward is that the honorable member from Pennsylvania [Mr. Stevens] — not now in his seat — did not say, at the time the act was passed, that the principal was payable in currency. Well, the gentleman from Pennsylvania sets forth in a letter recently written by him as a reason why he did not say it was payable in currency, that he did not think anybody but a fool would think it was not. That is not my language; it is his; that is the ground he puts it on; and when he comes in he and the gentleman from Maine can fight the battle out. I am quite certain that the old man sarcastic will take care of himself when he does get here without any aid from me; and therefore I pass from further consideration of this topic.

But it is said that various speeches were made on the one side and the other, which are cited to interpret this contract. I had supposed that there is no better settled rule of interpretation of either public or municipal law, or of the law of nations, than that nobody is bound by any portion of the negotiations or any portion of the declarations made either in regard to a treaty or a law prior to the enactment of the law or conclusion of the treaty, because the enactment settles the terms of the whole obligation, and you cannot go to the speech of this member or that member, in case of legislation, to find out what the legislation means, nor can you go to the protocols and negotiations prior to a treaty to find out what the treaty means. You must take it upon the letter, and I have never yet found any man bold enough — until my friend from Maine exhibited a degree of courage much superior to any bravery required to

face Minie bullets in the field — bold enough to insist that the letter of the law did not authorize payment of the principal of the five-twenty bonds in lawful money of the United States.

The next class of arguments that the gentleman from Maine puts forward on this question is the proposals in the advertisements of those he terms the authorized agents of the United States who disposed of the loan. Allow me here to say that for contracting a national debt I know no other authorized agent of the nation but the Congress of the United States; I know no broker, whether he is in the treasury office or out of it, that has a right to fix the terms of the national debt for the United States. No man is authorized to pay a dollar of money unless appropriated by the Congress of the United States, and therefore no man can contract a dollar's debt unless authorized directly and distinctly by an act of the Congress of the United States. I agree that Mr. Jay Cooke advertised, after some sort, when endeavoring to sell it, that the principal of this loan was payable in coin; but in the same newspaper you find another of his advertisements, intended also to sell the loan, that "a national debt is a national blessing." Are we bound by contract to that? If, as the gentleman claims, we are bound by advertisements in the one case, we are bound as well in the other; and does my friend insist that Mr. Jay Cooke has bound the country to the proposition that a national debt is a national blessing to anybody except bankers? With that amendment I might agree to the declaration. When I called the attention of the country to this some little time ago, Mr. Jay Cooke, for whom I have very high respect, wrote me that I was mistaken; that what he did advertise was that a national debt rightly managed was a national blessing. I am at issue with him upon that. I insist that a national debt managed any how, by anybody — the Angel Gabriel or Jay Cooke or any other body — is not a national blessing. [Laughter.] No management of a national debt can make it a national blessing. And yet, if we are bound by brokers' advertisements, we are bound to the doctrine that it is a national blessing which we must enjoy and bequeath to our posterity forever!

The next evidence which the gentleman from Maine presents in support of his contract to pay the five-twenties in gold is the declarations of Secretaries of the Treasury. Now, no Secretary of the Treasury had a right to make any declarations on this subject which can be binding on the country. The gentleman does not claim that he had; he only says that Congress stood by and saw the secretary make declarations and did not interfere. Once for all, I protest against Congress being bound by what secretaries do or do not do that Congress does not interfere with.

If you once admit that doctrine you will involve Congress in difficulties which it will take a long time and great wisdom to unravel.

But no one of the secretaries ever has said that the contract is that the principal of this loan is payable in coin; and if there has been disingenuousness on this subject it has not been on our part, but on the part of the secretaries in their attempts to interpret this law so as to sell the loan. The first thing said about the probability that this debt would be paid in gold was in the answer of Secretary Chase to a letter sent him from abroad — Frankfort, I believe. It was said in that letter — I do not give the words, but the substance — "It is not understood here in Frankfort that these bonds are payable in gold. If it should be so understood they would bring a much higher price." Why was it not so understood? Because a foreign lawyer reading the act would never think of such a thing for a moment. The bonds were selling — for what? For forty cents on the dollar, and that at a time when the Confederate loan was at a premium in Europe.

Now, I will not think so meanly of this country as to believe it could be supposed these bonds were payable in gold, and then were at this discount even in Europe, which was against us. And I will not think so meanly of this nation as to believe that there could have been any question in the minds of the people of Europe as to our being able to pay more than thirty per cent. of our debt in gold if such had been our plain contract and obligation. No, sir; the bankers in Europe of that day were simply betting as to whether we should pay our paper money in gold; they were betting on that proposition when they were buying our bonds at from sixty to seventy per cent. discount. They knew that every other government that had issued paper money had depreciated it, and the question was whether we, who set out here so differently from other governments, would in the end depreciate our paper money.

This letter was sent over here as a stock-jobbing proposition to Mr. Chase. How did he answer it? Through his assistant secretary. The answer all will remember: "The Government of the United States has always paid all its obligations in gold, and it is to be presumed that it always will." It was an evasive answer — an answer tending to mislead; whether intended so to do I do not know or say.

I have a bone to pick with Mr. Fessenden upon this subject. I am very glad he has been brought in here. Mr. Fessenden, as Secretary of the Treasury, was called upon to say whether the three-year loan treasury notes, issued in 1861, when there was nothing but gold to pay with, and for which gold was paid by the people to the government, was payable in coin or in currency. He decided that these gold-bought and

gold-contracted notes were payable in currency; and the whole of that issue, put forth at a time when there was nothing but gold as currency, for which the faith of the country was pledged, under the decision of Mr. Fessenden, had to be received by the people (who paid for it in gold) in paper, or they were compelled to convert it into such bonds as the government chose to give them.

Mr. BLAINE. Will the gentleman from Massachusetts [Mr. Butler] allow me to read one sentence?

I answered, Certainly.

Mr. BLAINE. The decision in regard to the payment of the first series of seven-thirty notes was made on the 18th of May, 1862, by Salmon P. Chase, Secretary of the Treasury, in these words: —

"The three-year seven-thirty treasury notes are part of the temporary loan, and will be paid in treasury notes, unless the holders prefer to exchange them," etc.

That was three months before Mr. Fessenden went into the treasury. He found the question *res adjudicata*.[1] The gentleman is all wrong in charging this upon Mr. Fessenden. There is not the remotest foundation for his assertion.

I replied: The House will judge whether I was wrong, without the *dictum* of my friend from Maine [Mr. Blaine]. I did not say that Salmon P. Chase was not guilty of the same thing; I only said that William P. Fessenden was guilty of it; that is the distinction. [Laughter.] If Salmon P. Chase had broken the faith of this government — if he had said that, although the government had received gold in the hour of its necessity, immediately after the first battle of Bull Run, the darkest day the government ever saw, and had pledged gold in return — for then we paid gold to meet all our obligations — if Salmon P. Chase, on the 18th of May, 1864, when called upon to say whether we should pay gold for the gold we had received, broke the faith of the government, if he was one of those repudiators and scoundrels and knaves we hear of so glibly when we attempt to discuss this question of finance, why did not and why should not Secretary Fessenden overrule him when he became Secretary of the Treasury? If so great a wrong was *res adjudicata*, it was *res* very badly *adjudicata*, and should have been forthwith set right.

My friend does not pretend that Mr. Fessenden altered this; and when we, who believe in maintaining the faith of the nation, but not in oppressing the people with taxation, are attacked on all hands by hard words and strong inferences, and when, to get us down, we are yoked up with everybody who happens to have bad political sentiments, I would

[1] *Res adjudicata.* A thing adjudicated or determined.

ask who was the first repudiator? The gentleman chooses to cite Mr. Chase as the promisor of this bad note. Be it so; I am dealing only with the indorser, William Pitt Fessenden. He indorsed it and acted upon it. By his decision the seven-thirty notes of 1861, issued when there was no other currency, were caused to be paid in greenbacks, and the gold-paying public creditor was obliged, for his gold paid to the government, either to take his pay in greenbacks or convert his government notes into bonds; and that whole loan was thus redeemed. And on what ground was this so great a wrong on the public creditors perpetrated? It was said by the secretary that this three-year seven-thirty gold loan was a temporary loan only. Oh, then, it is right to cheat the temporary creditors of the government; the hand-to-mouth men, who loan their hard coin for a few days to save the government; but the long-bond creditors of the government you must not cheat; you must let them cheat you. Is not that the proposition? Is there any escape from it? Is not that the Maine doctrine of finance, if you please? [Laughter.] My friend here from Maine [Mr. BLAINE], following in the footsteps of the Secretary of the Treasury from Maine, holds it to be in the last degree wrong if we do not pay principal and interest of our debt in gold. He invokes us, in the name of national honor, national faith, and everything else that is sacred, to save the long-bond creditor, who bought our bonds for currency, while the short creditor, who paid for his notes in coin, has lost his gold by the action of the Secretary of the Treasury from Maine. We have had many things good from Maine — among others a "Maine law" — and now we have got Maine finance. I repudiate the last, and I am afraid my State has repudiated the other. [Laughter.]

The next authority adduced by the gentleman in support of his contract to pay gold for the five-twenties bonds is Secretary McCulloch. Well, if this House proposes to be bound by the financial theories of Secretary McCulloch I should hardly wish to argue this question further. But even Secretary McCulloch does not undertake to say that there is a contract to pay gold for these bonds. When asked by a foreign banker, "What is the contract as to the payment of the principal of the five-twenties?" what does the secretary reply? Does he say that the contract is to pay in gold? Oh, no; he says that all the government obligations that have fallen due have been paid in gold (he forgot that temporary loan), and that it is the policy of the government to pay all its obligations in gold. I agree with him; such is the policy of the government. But that is not the question. The question is, what has the government contracted to do, and what is it able to do? I wish that we could pay this enormous debt in gold, or in anything else, so that we could relieve the people from taxa-

tion. You will find running all through this letter of Secretary McCulloch an evasion of this question. What is the contract by law?

When the $900,000,000 loan, commonly known as the ten-forty loan, was issued, what did the Secretary of the Treasury do? Of the six per cent. five-twenty loan (which the gentleman from Maine contends was payable in gold) he says only some $25,000,000 of the $500,000,000 authorized had been issued; yet he makes the Secretary of the Treasury guilty of the absurdity of attempting to put on the market $900,000,000 of the five per cent. ten-forty loan as a competing loan, expecting to get that taken up, when he could not get his five-twenty six per cent. gold-payable loan in principal and interest taken up. Why did he do this? If both loans were payable in gold, he must have been entirely demented. But no; the ten-forty five per cent. loan was payable, principal and interest, in gold by its terms; and this same Secretary of the Treasury, through his brokers, advertised this ten-forty loan as the only one the principal and interest of which were payable in gold. And nobody objected in this House. I was not here then; but where was the eloquent voice of my friend from Maine protesting against selling this five per cent. loan upon an advertisement that it was the only loan payable principal and interest, in gold? Why did he allow the public creditors to think that the only loan payable in gold was the five per cent. loan; that the six per cent. loan was not payable in gold? This only illustrates the fact that, in interpreting public law, we must not deal with what members of Congress do individually, but we must be bound by the statute.

MR. BLAINE. Does the gentleman mean to say that the government agents advertised that the ten-forty loan was the only loan payable in gold?

I replied: Yes, sir; I do. Certain government agents, called the New York *Tribune*, the New York *Times*, or the New York *Evening Post*, contained that advertisement, and if the gentleman will go there he will find it.

MR. BLAINE. Authorized by whom?

I answered: Authorized by the Secretary of the Treasury, so headed. It was a little difficult at that time to find out who the negotiators were. That was the advertisement. You can find it. If I had known this question was to arise at this time I would have had the advertisement to present to the House.

MR. BLAINE. I gave the gentleman notice some days ago that I should speak on this subject.

I said: True. But while I presumed the gentleman would speak

on this subject, it never entered my conception that he would make such a speech as he has. [Laughter.]

If the gentleman will tell me why it is that we are to construe this law differently from any other law I will be obliged to him. If he will inform this House why the people of this country should tax themselves to the amount of many millions ($400,000,000 is the difference this day and this hour), whether these five-twenties are payable in gold, as gold stood yesterday, or in greenbacks.

The only answer suggested is, why agitate this now? These loans are not payable now, and therefore we may wait until the twenty years are out, when we all believe greenbacks and gold will be correlative terms. I believe so, too, in twenty years; but in the meantime the interest on these five-twenties is sinking this country, the labor, the manufacture, and the commerce of this country, to a degree that even its vitality and its strength will hardly be able to meet it.

What is the rate of interest on the five-twenties? Six per cent. in gold, payable semi-annually, gold being at 140 to 145, equal to 150 and upward. That makes nine per cent.; they are exempt from State and municipal taxation, which makes from two to three per cent. more. So on these almost two thousand million of interest bonds the people of this country are paying at this day, and at this hour, either by remission of taxes or otherwise, in the currency of the country, from eleven to twelve per cent. What is the consequence? They could stagger under this burden of taxes if needed to pay the soldiers; they could deal with this burden of taxes if it even were to be thrown into the sea; but the difficulty is that paying this high rate of interest on these five-twenties of from eleven to twelve per cent. causes capitalists to withdraw from legitimate business and keep their money in these bonds. See how it operates. I have my money in five-twenty bonds at eleven per cent., and I am told that I am to have gold at the end of the twenty years for the principal besides. You cannot tempt me then to go into any enterprise which shall not promise me more than eleven to twelve per cent. I must have much more before I will take my money out of government securities and put it at the risk of business. And it is this high rate of government interest which is crushing the life out of the industrial pursuits of the people. There can be no mistake about this. Look at the market reports of Cincinnati, one of the great marts of the West. No money can be got there for less than fifteen to eighteen per cent. Why? Because our capitalists get from eleven to twelve per cent. on five-twenties, and they are encouraged to hold on to their bonds and keep their money out of the business of the country; because the gentle-

man from Maine tells them that the government will pay the principal in gold, although they paid but forty cents on the dollar for them when they bought them. This is the reason why this five-twenty loan is crushing our people, and why we must get rid of it at all hazards consistent with national honor and national faith, and no man asks that to be broken.

But I am told if we undertake to pay any portion of this debt in greenbacks we shall depreciate greenbacks so that they will be worthless; that there will be an inflation of prices. The gentleman from Maine riots in imagination over the picture of the payment of $200 for a pair of boots if we issue any more legal-tender notes, that is to say, notes not bearing interest.

Speaking of greenbacks, I am reminded of one thing to which I meant to have adverted, on the question: of the nation's being bound by the advertisements by which its bonds were sold. My friend says we did not notify capitalists that we would claim the right to pay these five-twenty bonds in any other way than in coin. Why, we put it upon $150,000,000 of United States notes, and thus advertised everybody we did not mean to pay them in gold. This notice was put on the back of every greenback. Let me read from one: —

"This note is a legal-tender for all debts, public or private, except duties on imports and interest on the public debt."

There is "*inclusio unius exclusio alterius*" [1] for the gentleman.

The common idea is that there will be inflation when you issue paper money. It is drawn from the old idea of bank circulation. A bank issued its notes without any basis except the gold basis. That gold basis was sometimes one to four. Let me illustrate: suppose there were four hundred millions of bank paper in circulation on one hundred millions of gold as a basis, then I agree it would be an inflation to issue another one hundred millions, making the relation of the paper dollar to the gold dollar as one to five. But what is a greenback? Have gentlemen considered? A dollar greenback as it stands to-day is one twenty-five hundred millionth part of the debt of the United States, secured by a mortgage upon every dollar of public or private property in the United States. Is it not that, under my theory or anybody else's theory of finance? Now, suppose we issue five hundred millions of greenbacks, and pay up five hundred millions of the interest-bearing debt of the United States, what is a greenback then? Why, it is still one twenty-five hundred millionth part of the national debt of the United States,

[1] In a contract, *inclusio unius exclusio alterius*, "the inclusion of one thing is the exclusion of the other."

appreciated, and not depreciated, by the amount of interest which we have saved by buying up five hundred millions of the interest-bearing debt. The way to test it would be this: suppose we could issue the whole amount and pay all interest-bearing debt at once, then the one hundred and fifty millions of customs which we have to pay for interest without getting ahead in payment of our debt at all could be directed to redeeming the greenbacks. There is a limitation on this power of issuing greenbacks, and only one, and that limitation my friend does not seem to understand. It is this: these greenbacks are non-interest-bearing notes, and therefore they can only be issued in such quantities without depreciation in fact, as will be absorbed by the community to the degree that they are required for business purposes. They may be issued to the degree they will be absorbed as currency. I think that the country can bear to-day some two hundred millions more of them, not issued primarily and arbitrarily for the purpose of paying off the interest-bearing debt, but issued for the purpose of providing a currency for the country which should not be so contracted as to bring ruin, as now, upon the business interests of the country. When you have issued two hundred millions more of these greenbacks and paid your interest-bearing debt with them, have you altered their relation to property, to each other, or to gold? Are they appreciated or depreciated? Appreciated, in fact, because you save the interest on the two hundred millions which you have paid off with them; depreciated if you issue more than will be absorbed as currency, because business men do not want non-interest-bearing notes on hand; and if they are not needed as currency they will sell them at a discount for some property that will pay interest.

Now, then, sir, let me state, for the benefit of my friend, my proposition of finance, and the House can contrast it with any other that may be better, and there will be found better I doubt not. There are now some two thousand five hundred millions of debt. Some two thousand millions of it stand in the shape of interest-bearing debt. There are nineteen different kinds of that description of debt bearing different rates of interest and times of payment. There are some five hundred millions, more or less, in various forms of non-interest-bearing debt, gold certificates, legal-tender notes, and others. Now, my proposition is that, in the first place, we should substitute greenbacks for the national bank currency, releasing to the banks the bonds which we hold as security for that national bank currency. It can be done without shock to the business of the country.

I agree, sir, that any proposition of legislation is vicious which tends in any considerable degree to interfere with the industrial pursuits of the

people, but I propose we should enact in some proper form that the Secretary of the Treasury should each month retain in the treasury all the national bank bills which have been collected by the collectors of the internal revenue, or which have come through other means into the Treasury of the United States, and at the same time should issue to the banks, if they desire to receive them, or to issue in payment of the interest-bearing notes which are payable in currency an equal amount of legal tenders. In a very few months, four or five, the national bank notes would be drawn from circulation and their place supplied with greenbacks without any shock to the business of the country; and, *pari passu*,[1] the bonds of the banks held as security for these notes could be restored to them. This proposition, sir, if carried out would put into circulation some three hundred million dollars more of national legal-tender notes without increasing that circulation, and release the country from the payment of between twenty and thirty million dollars in currency which is now paid to the national banks on these bonds, and the place of their bills would be taken by the non-interest-bearing notes of the United States without any shock to the business of the country.

What objections are urged to this proposition? The first is that it would be a breach of faith with the banks. I would like some gentleman to put his finger upon any act of Congress by which we pledged ourselves for a single day longer than good pleasure and discretion of the Congress of the United States thought best to allow this bank currency to exist. What effect would it have upon the banks? Those dependent wholly upon their circulation, which are not in fact banks of loans and deposits, would wind up, and their managers would seek some other and equally honest employment. Banks that are needed would still be banks of loan and discount, but not of circulation.

It is said that the banks furnish now the best currency this country ever saw, because it is the same in New Orleans, Boston, New York, and Chicago. But what is the currency? It is the notes of the bank. What makes them equal all over this country? It is the indorsement of the United States. So that we have come into this very remarkable position, that when a bank breaks its currency is better than when it was solvent, and sells at a slight premium.[2] Therefore, as the United States is primarily

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[1] *Pari Passu*, with equal step.

[2] At the time of this speech, the amount of bank currency was limited, so that no new bank could be formed until an old bank broke and its bills became redeemable. Then the capitalists who wanted to start a new bank (and this was very profitable) would buy up the bills of the broken bank, and when they got enough would apply for a bank charter and get it. Therefore bills of a broken bank would sell for three or four per cent. premium to be used for that purpose.

responsible for all the circulation, we ought to supply the currency to the people and receive the profit of doing it.

But it is said that the banks really cost the United States nothing. One of the ablest bankers of them all, Mr. Jay Cooke, has undertaken to tell us that the banks pay in taxes a large amount, and therefore in equity we ought not to disturb them. Sir, if Mr. Jay Cooke or any one else will tell me of any business in this country that is not taxed and does not pay a large amount of taxes, then I will agree that the banks are not favored. Take, for example, a manufacturer. Take a single case, only two years ago, in the State of Massachusetts, of a manufacturing corporation of $750,000 capital and of $1,500,000 annual product of manufactured goods. It exactly divided profits with the United States. Its stockholders received two dividends of five per cent. each on $750,000, and it paid five per cent. tax on the entire amount of production, $1,500,000; so that they in fact took the United States into partnership, only the United States got all the profits, but the stockholders bore all the loss. Now, if there is any greater or more onerous burden of taxes on the banks than that, I have yet to learn where it is.

Again, it is said that this banking system is a better one than we ever had. For some purposes so it is. And it is said, further, that if we do not encourage it we shall go back to the old State bank system. No, Mr. Chairman, never, never! The day of State banks has gone by. They were always, in my poor judgment, unconstitutional; but they got themselves fastened on to the country, and there was never power enough, until the necessities of the country required a new system of finance, to break off their hold. We have rid the country of them, and the Congress of the United States, ay, and the good judgment of the people, will never permit that system again to be imposed upon the country.

What is the next proposition? Why, it is said we must not interfere with the national banks because they patriotically helped us during the war. Upon that I take issue with each and every advocate of the banks. On the contrary, they helped themselves, not us. It is said they loaned money to the government. How did they do it? Let me state the way a national bank got itself into existence in New England during the war, when gold was 200, and five-twenties were at par, in currency, or nearly that. A company of men got together $300,000 in national bank bills, and went to the Register of the Treasury with gold at 200 and bought United States five-twenty bonds at par. They stepped into the office of the Comptroller of the Currency and asked to be established as a national bank, and received from him $270,000 in currency, with interest, upon pledging these bonds of the United States they had just bought with their $300,000

of the same kind of money. Now, let us balance the books, and how does the account stand? Why, the United States Government receives $30,000 in national bank bills more from the banks than it gave them in bills; in other words, it borrowed of the bank $30,000 in currency, for which, in fact, it paid $18,000 a year in gold interest, equal to $36,000 in currency, for the use of this $30,000. Let me repeat. The difference between what the United States received and paid out was only $30,000, and for the use of that the government pay on the bonds deposited by the company, bought with the same kind of money, $18,000 a year interest in gold, equal to $36,000 in currency.

But the thing did not stop there. The gentlemen were shrewd financiers; their bank was a good one; they went to the Secretary of the Treasury and said: "Let our bank be made a public depository." Very well; it was a good bank; the managers were good men; there was no objection to the bank. It was made a public depository, and thereupon the commissaries, the quartermasters, the medical director and purveyor, and the paymasters were all directed to deposit their public funds in this bank. Very soon the bank found that they had a line of steady deposits belonging to the government of about a million dollars, and that the $270,000 they had received from the Comptroller of the Currency would substantially carry on their daily business, and as the government gives three days on all its drafts, if the bank was pressed it was easy enough to go on the street if they had good security. They took the million of government money so deposited with them and loaned it to the government for the government's own bonds, and received therefor $60,000 more interest in gold for the loan to the government of its own money, which in currency was equal to $120,000. So that when we come finally to balance the books the government is paying $156,000 a year for the loan of $30,000. And this is the system which is to be fastened forever on the country as a means of furnishing a circulating medium!

This, only using round numbers for the purpose of illustration, is an actual and not a feigned occurrence. You will see it was a perfectly safe operation for the banks, though not a very profitable one for the government, because they held ample security for the government deposits in its own bonds. But the difficulty is the government was paying interest all the while on its own deposits; and this state of facts is only rendered possible by this system of supplying the banks with circulation by the government without interest.

The next reason advanced why we should not interfere with these banks, if I understand it, is that we are told by very high authority this system will become the banking system of the world; having inaugurated

it, we are so much in love with it that all the nations will pattern after it. Let the rest of the world try it for a few years when we have done with it, and then, if the rest of the nations adopt it, we can return to it, we can return it, but not till then.

Sir, am I slandering these institutions? Are they not making money at a rate which is beyond all precedent? Let me state another case, which might be an actual case, and perhaps I could call the name of the man. A very shrewd man takes his $100,000 and goes to the treasury and obtains bonds; he then gets a banking charter, and receives his bills amounting to $90,000; then he buys with those same bills $90,000 worth of bonds, and comes home and sits in his office, and that is his bank, and his money is all in circulation. Says he: why should I trouble myself to lend my money to the farmers around me on sixty-day notes when I can lend it at from ten to twelve per cent. on long twenty-year government bonds, and Mr. Blaine says I am to be paid in gold for them; that is as good banking as I want to do; the bills never come home; they are going all over the West and South, and I am getting $22,800 interest on my original $100,000; what do I want more? I am comfortable and happy; I think this "banking system is the wisest one the world ever saw, and that it ought to be adopted all the world over."

But let us take the banks' own exhibit of themselves. I hold in my hand the abstract of reports of national banking associations for the first of October last. Let us see their condition. They have $419,000,000 of capital stock paid in; they have been in operation on an average of less than four years; they have divided from twelve to twenty per cent., about twelve in New England and from fifteen to twenty per cent. where money is scarcer and the rate of interest rules higher. In addition to these, dividends take their own statement: "surplus fund, $66,000,000; undivided profits, $33,000,000;" showing that they have got, after all these dividends, nearly twenty-five per cent. surplus of that capital stock laid away. What other business, taxed or untaxed, if any untaxed business can be found in this country, will allow a yearly dividend of from fifteen to twenty-five per cent. and a surplus accumulation in four years of twenty-five per cent. on the capital? And from whom and from where do these profits come? They come ultimately from where all taxation, all profits, all productions must come, the laborer of the country and nowhere else; and we are asked here to perpetuate a system which takes these immense profits from the labor of the country and puts them into the hands of capitalists without a pretence of adequate benefit received by the people.

Why, sir, it is an axiom in finance, if there are any axioms in finance, that any business which is safe should have small profits, and business that

is hazardous should have large profits; but here the state of things is reversed; the banking business, which, if well conducted, is the safest business on earth, and which heretofore has always been content with small profits, is now the most profitable of all businesses, and has the largest returns without any risks.

Every member of this House can argue these propositions for himself better than I can argue them for him. It is my part only to suggest the topics upon the question of currency. I insist, as my first proposition, that there should be this change in bank circulation, and by that means we would diminish our interest-bearing debt $300,000,000 by redeeming it with the greenbacks we should thus issue.

We have to-day in circulation in various forms in round numbers $759,000,000. A portion of it, I agree, is locked up in banks; fifteen per cent. in the country, and twenty-five per cent. in the city banks as their currency for the redemption of their bills; a procedure the wisdom of which I have yet to be taught, because the United States is the final indorser and payer of all their bills. I do not see how it makes it any safer to lock up fifteen or twenty-five per cent. of the indorser's notes for their redemption; and I desire some of the able bankers in this House to explain to me what good result is hoped for from this smothering of a portion of the national currency, which the banks take care, however, shall be interest-bearing to them.

I will suggest a reason why that requirement was placed in the statute book. There was a lingering idea in law of the old specie basis, and of getting an equivalent in its place. Legislators seem to have forgotten that we had wandered away from the specie basis; that they were putting in its place but the notes of the United States to redeem notes of the United States. If we can release, therefore, the whole circulation of about $700,000,000, perhaps that will relieve the present contraction in the currency.

We are told that we must preserve the national banks, because if we do not there will be nobody to circulate our money. Let us examine that a moment. If money will not circulate it is because nobody wants money. My anxiety is to provide the people with money that they do want and will circulate, not with money they do not want. I have never yet seen any man who has refused the notes of the United States when the government has paid them out. When I find such a man, I will agree to charter a bank for the purpose of forcing them upon him, and not until then.

The truth is, that at the present hour the country is suffering from the want of those very notes. We have nominally some seven hundred and fifty millions of currency, but actually only about five hundred and fifty

millions in circulation. I wish I could stop to explain to the House how this can be, but it can easily be seen by examining the bank returns. We find the fact to be that we have not circulation enough. Compare it with what was the circulation before the war. Mr. Chase reported the circulation of this country before the war, including gold, to be about $477,000,000, and upon examination I can see no reason to find fault with that estimate. Now we have only $550,000,000 in actual circulation, though we are doing more than three times the business calling for the use of cash that we were doing before the war. During the ten years from 1847 to 1857 the deposits and circulation of the banks averaged about thirteen dollars per capita. Now, on account of our doing so much more of our business for cash, the deposits and circulation of the banks are about twenty-four dollars per man. And if you take into consideration the currency furnished by the United States, the $300,000,000 of greenbacks, or about that sum, you will find that it is about thirty-four dollars per capita, reckoning thirty-six million people in the United States. This shows that we require in our business three times, or certainly two and a half times, as much cash as before the war. Everybody knows this to be a fact.

How was it before the war with the eastern manufacturer? He sent to New Orleans and bought his cotton, giving drafts for six or eight months. The merchant in New Orleans came East and bought the manufactured goods, giving his notes for from six months to a year; and all the cash that was wanted was enough to settle up the balances.

And now, when we send out for cotton we must send out greenbacks, because of the change in the mode of doing business: and we have a currency that stands at par there, and for what they want from us they must send the greenbacks. Every one knows that the business of this country is done twice or thrice as much in cash as it was before the war; and therefore I think this country will bear from eight hundred to a thousand million dollars of circulation without redundancy as soon as business revives, and that will make it revive. But my friends say "that may be too much." Perhaps it may be; but it is very easy, it seems to me, for us to have that amount of circulation without redundancy; and as each legal-tender note is, as we have seen, a part of the debt secured by mortgage of the whole property of the United States, without depreciation.

Our debt now is $2,500,000,000, about $2,200,000,000 of it interest-bearing. Suppose we issue our legal-tender greenbacks, as I will call them for convenience, and buy up or redeem our interest-bearing debt that is due to the amount of $1,000,000,000. Then our debt stands,



James F. Wilson, Iowa. Geo. S. Boutwell, Mass. John A. Logan, Ill.
Benj. F. Butler, Mass. Thaddeus Stevens, Penn. Thos. Williams, Penn. Jno. A. Bingham, Ohio.

MANAGERS OF THE HOUSE OF REPRESENTATIVES OF THE IMPEACHMENT TRIAL OF ANDREW JOHNSON.

$1,000,000,000 of non-interest-bearing debt, and $1,500,000,000 of interest-bearing debt. Now, if that $1,000,000,000 of circulation is too much, i. e., more than is needed for currency, I agree with the gentleman from Maine that it will be depreciated. But what is too much? Too much is more than will be absorbed as currency in the business of the country. That is to say, if because of an over-issue by the government there is an accumulation of non-interest-bearing notes, greenbacks, in the hands of any man, they are not productive, and he will dispose of them at a discount, if he can do no better, for something that is productive. The only question as to redundancy, therefore, is whether the notes in his hands are worth more for use in his business as currency than they would be to him if invested in a loan to the government. Now, then, I propose that for $300,000,000 of this non-interest-bearing debt we shall issue an interest-bearing loan at once which shall be that exact loan which my friend from Maine yesterday thought would be so absurd — a loan bearing a low rate of interest and convertible and reconvertible into greenbacks at the pleasure of the holder at any day and any hour.

Let us see how such a loan would operate. A man has more money than he wants to use. He with such a loan can go to a public depository, leave his money and take his bond. Then when he wants his money again he goes to the depository, leaves his bond and takes his money for his bond, principal and interest; that is to say, when the non-interest-bearing notes of the United States are worth less to a business man than this bond he will exchange it for this bond; when the notes as currency are worth more to him to use in business or speculation than the investment he will return the bond and take the currency. Thus, without any banks to push out the circulation just when it is not wanted or draw it back just when it is wanted, as the practice now is, we shall have an automatic financial system, self-regulating, or rather regulated by the great law of supply and demand, the best of all regulators. When money is wanted by the business community up to the amount of notes issued by the United States, it will be at once got; when it is not wanted, it will be returned to the government, which being a borrower for a long series of years to come will be glad to take it. There can be no redundancy, because every man will know exactly where to place these non-interest-bearing notes when he has got through with them as money. When money is wanted at the West to move your crops in the fall you take it from the treasury and move the crops; when you get through with the money you take it back to the treasury and get the bonds, in the same manner as when you have got through with your wagons you put them back in your barns for use next year. Thus the whole monetary system of the

country will go on without redundancy and without shock and without inflation.

More than that, sir, as I believe I have demonstrated, it will be impossible to have inflation, because this currency being convertible and reconvertible from time to time, and being always an integral part of the public debt, it will never change its relative value to the property of the people of the United States. Why, sir, what is the measure of the value of your house? If it is worth $10,000 it is ten thousand twenty-five hundred millionth parts of the public debt; and it will remain so until a portion of that debt is paid, when it will be appreciated, or until the public debt is expanded, when it will be depreciated. It will remain of exactly the same relative value, however much the form of the public debt be changed, but will always be more valuable as the public debt grows more valuable, i. e., as it diminishes.

My hour is nearly exhausted and I am warned that I must spend no more time in elaborating the details of this proposition; but I ask gentlemen to apply to this question their own acute judgments and tell me, if *they can, where is the fault in the reasoning; because the only valuable purpose that can be served by this discussion is to elicit what we all desire to arrive at — the best system of finance, to do what? To lessen the burden of taxation and to relieve the loyal, true-hearted, but over-burdened people from this so great weight of taxation.*

Now, sir, if I am right, and if the country will bear this thousand millions of non-interest-bearing notes as currency — and if it will not, the good judgment of the Ways and Means Committee, and the Committee on Banking and Currency will settle that for us on full examination, so that I certainly may use that sum for illustration in so far as it will bear it — so far will it diminish the interest-bearing debt. You will, therefore, bring the interest-bearing debt down to $1,500,000,000, where it can easily be managed. It is said you must not pay these five-twenties in greenbacks? Why, sir, you will never need to pay them in greenbacks.

What shall you do, then? You should issue a loan on long time, at a low rate of interest, thirty or fifty years, with the proceeds of which to redeem them or to be exchanged for them. For, sir, I am not for this generation paying all this debt. I think we had done our share when we contracted it. [Laughter.] We ought to leave it to our children to do theirs by paying it.[1] I see gentlemen smile. But, sir, in all solemnity, when we contracted this we contracted it with the loss of the best blood of the nation and the loss of the best lives we had; in suffering, in sorrow, in labor, in woe, amid horrors unnumbered,

[1] This has been done and is now being done nearly a quarter of a century afterwards.

to save this great experiment of government, republican in form, and freedom for all, for them and for our posterity forever, and they owe us some debt of gratitude for that so great boon; and should we who bore all the suffering and agony bear also all the taxation consequent upon this great work?

But I do not desire that the greenback currency should be made to serve the country as it has done, vilified, insulted, depreciated by the act of the government itself; being refused not only to be received for all debts due the government, but not even paid for all demands due from the government.

The "American system of finance," which will obtain in the near future, — and I hope at once, — which I desire is:

First. A dollar that shall have at all times a certain fixed and stable value below which it cannot go.

Second. I demand that that dollar shall be issued by the government alone, in the exercise of its high prerogative and constitutional power, and that that power shall not be delegated to any corporation or individual, any more than Charles the Second ought to have delegated his prerogative of stamping gold coin for the benefit of his paramours, as a monopoly.

Third. I want that dollar stamped upon some convenient and cheap material of the least possible intrinsic value, so that neither its wear nor its destruction will be any loss to the government issuing it.

Fourth. I also desire the dollar to be made of such material for the purpose that it shall never be exported or desirable to carry out of the country. Framing an American system of finance I do not propose to adapt it to the wants of any other nation and especially the Chinese, who are nearly one quarter of the world.

Fifth. I desire that the dollar so issued shall never be redeemed. I see no more reason why the unit of measure of value should be redeemed or redeemable, than that the yard-stick with which I measure my cloth or the quart with which I measure my milk should be redeemed.

Sixth. For convenience only, I propose that the dollar so issued shall be quite equal to or a little better than the present value of the average gold dollar of the world, not to be changed or changeable, if the gold dollar grows lower in value, or grows higher, or to be obliged to conform itself in value in any regard to the dollars of any other nation of the world, keeping itself always stable and fixed so that when all the property of the country adjusts itself to it as a measure of value it shall remain a fixed standard forever. But if it is ever changed, it shall change equally and alike for the creditor and the debtor; not as the dollar based upon supposed gold whose changes always have given the creditor the advantage.

To give the greenback currency thus described a fixed and stable value, I would make it fundable at all times, and at a sufficient number of places convenient to the people, in coupon or registered bonds of $50 and the multiples thereof up to $10,000, bearing interest at 3.65 per cent., payable semi-annually, which bonds should be reconvertible into currency at the pleasure of the holder at every public depository.

Thus I would have a currency better than a gold currency; unalterable in value because founded upon the wealth, power, and property together with all the gold and silver of the country; held by all the people, whose interest it would be to keep it a steady measure of value to which all property would soon accommodate itself, and ultimately the whole national debt would be brought home from abroad and funded into this national bond.

The war as to the currency still went on. In my last term I made a speech upon the question of the greenback being the constitutional money of the United States, whether issued under act of Congress in war or in peace.

The following is an extract: —

Therefore, Mr. Speaker, I am ready to say with the preacher (Ecclesiastes, v. 10): "He that loveth silver shall not be satisfied with silver." We want the greenback for our currency and mean to have it. Of that currency I said on this floor nine years ago and repeat now with all the confidence gained by experience: —

I stand here, therefore, for inconvertible paper money, the greenback, which has fought our battles and saved our country; which has been held by us as a just equivalent for the blood of our soldiers, the lives of our sons, the widowhood of our daughters, and the orphanage of their children.

I stand here for a currency by which the business transactions of forty million people are safely and successfully done, which, founded on the faith, the wealth, and property of the nation, is at once the exemplar and engine of its industry and power; that money which saved the country in war, and which has given it prosperity and happiness in peace. To it four million men owe their emancipation from slavery; to it labor is indebted for elevation from that thrall of degradation in which it has been enveloped for ages. I stand for that money, therefore, which is by far the better agent and instrument of exchange of an enlightened and free people than gold and silver, the money alike of the BARBARIAN and the DESPOT.

Mr. Chittenden, a member from Brooklyn, N. Y., who was an honest opponent of my doctrine, came to me after I had finished my

speech, and said: "You evidently believe in the legal correctness of your opinion?"

"Certainly."

"Can this question be brought before the Supreme Court?"

"Certainly."

"If it can, will you present the matter from your standpoint?"

"I will."

"How can it be done?" he asked.

"Let an amount of merchandise," said I, "be bought by A payable, according to the custom of the trade, in thirty days. The transaction must exceed in value five thousand dollars to go to the Supreme Court for jurisdiction. Let A when the debt is due procure greenbacks issued from the treasury since the war under act of Congress, so as to get rid of the question whether issuing of greenbacks is constitutional as a war measure, because if it is constitutional in time of peace, it certainly would be in time of war. Let him make a tender legal in form of such notes, in payment of the just claim of B. Let B refuse the tender as not legal, not being made in constitutional money, and bring a suit against A in the circuit court of the United States for the amount of his claim. Let A answer his tender of greenbacks as his sole defence in the suit of B. Let B demur to to that answer, and that will raise the question, and the single question."

"And will you defend the suit?"

I said: "It is better that I should not. I certainly shall not in the circuit court, but I will see that it is properly defended in the Supreme Court without charge to anyone, and you had better gather the best talent you can to argue your side of the question in the Supreme Court."

"Whom would you suggest?"

"I would suggest that you get Senator Edmunds, if you can."

The suit was brought, and the steps which I suggested were taken in it. The judge of the circuit court overruled the demurrer. The suit was taken to the Supreme Court of the United States. I assisted in preparing the brief upon which it was presented, but I did not argue the case before the court for I desired to divest the case of all political complexion.

It was a long time before it could be argued before that court, for

it was a very great constitutional question, and the bench did not desire to pass upon it so long as there was a vacancy in that court. At last, the vacancy being filled, the case was fully heard and very well argued on both sides.

After deliberation the court decided, eight to one, that greenbacks were the constitutional money of the United States, Mr. Justice Field alone dissenting; this decision will never hereafter be questioned. Since then the legal tender money of the United States has been at all times at a par with gold, and under some circumstances at a premium over it.

The bonds of the United States bearing five and six per cent. interest payable in gold, immediately rose to a high premium. The treasury had a surplus with which they had been redeeming these bonds as fast as they became due, sometimes buying them at a premium when it appeared necessary, in time of a panic or great stringency, to relieve the money market.

Investing capital in United States bonds which were worth a premium, was a great promoter of stringency and when that condition of the market took place, the bonds were an almost insuperable obstacle to a speedy relief. The reason for this state of things is this: In a tight money market the premium on the bonds went up because capitalists having their money invested in such bonds, their favorite investment, would not sell them and put the money in circulation. For example: Money is tight; A, who is perfectly good and is known to be, but short of money of the circulating medium for his business, goes to his friend B for a loan. B says: "My money is in United States bonds; I cannot loan any without selling my bonds, and if I do sell them and you take the money, say for six months, I don't know what premium I shall have to pay for the bonds when I want to reinvest my money in them; it may be once or twice as much as any extra interest you could afford to pay me for the loan of the money."

I had introduced a proposition in the House for an interchangeable bond, that is, a bond which the treasury should issue at par payable in greenbacks, bearing 3.65 per cent. interest annually, the holder of the bond being privileged at any time to bring it back to the treasury and receive for it its amount and accrued interest. The rate of interest at that time was certain to be changed by the

issue of bonds at a lower rate of interest without the interchangeable feature. Therefore whoever invested in the interchangeable bonds would be willing to loan them wherever he could get perfect security and a slightly advanced interest, because he would always reinvest his money in the same character of bond he loaned, at the treasury at any time at par. The party borrowing a bond could deliver it to his creditor, and if the creditor wanted to dispose of it he could also deliver it as money, the money for it being in the United States Treasury to be had for the asking. So that the very bond would become an extension of the currency, being used in business interchangeably with currency.

This proposition, which was intended for relief both of the United States from high rates of interest, and of the people from stringencies of the money market, met the utmost opposition of the treasury and the bankers, and a stream of derision was poured upon the plan as from the outlet of a fire engine. But it neither annoyed nor disturbed me, and I have lived to see the same proposition recommended by the treasury some years afterwards and favored in the Senate. But it did not suit the bankers.

I brought before the Treasury Department and endeavored to have adopted another system of financial action intended to utilize the national debt and also the financial machinery of the government, in lowering the rate of interest and establishing a system by which certain classes of people might invest their money in perfect safety for their support and comfort, and in which the investment would inure to the payment of the public debt. This was an adaptation of the system of "terminal annuities" resorted to in England when the government was under pressure to borrow money. But from their laws regarding the accumulation of property, it is not resorted to except in cases of necessity.

In this country our laws provide, somewhat, but do not go far enough, for the distribution of great estates among the people, upon the termination of the lives of those who own them. We abolished the laws of primogeniture by which such estates could be held together. Great Britain still retains that system, and great estates can thereby be held together from generation to generation. We have something which is worse in our system — corporations and trusteeships which keep moneys together in separate estates for several generations, and

preserve great accumulations of it. More than this, it enables the estates to conspire together, to vitiate the purity of our elections, and, as is asserted and believed, the possessors of such estates have the power to buy their seats in the highest councils of the nation.

There is a necessity for some means of permanent investment for the benefit of those not able to take care of their property and themselves, which shall perfectly secure them the comforts and necessaries of life that their money would bring to them if they could spend it all while they lived. Further, it must be so secure as to leave them in no possible want during life. There was no such means in the country then and there is not now.

I am putting forth this matter here in the hope that it may attract the attention of the people, and that hereafter a system may be devised for carrying it out. Let me give an illustration or two so that every one may understand it.

I have a sister who is incapable of earning money or investing the money she has so that it will be absolutely safe. She has ten thousand dollars. If I can invest that so that she can spend the whole of that ten thousand dollars during her life, she can live in perfect comfort.

Oh, but it will be said, buy an annuity for her with her money in some annuity company.

True, but the annuity people want to make great profit out of that. She will get the least possible sum, and who shall say the annuity company will not fail in a series of years?

Now, let me take that ten thousand dollars and go to the government and say: "Calculating by the life tables, how much will you pay quarterly to my sister upon this deposit of ten thousand dollars, payment to stop when she dies and the deposit to revert to the United States?"

There can be no risk in that to the United States, because if my sister's health is not strong she may not live a great while; the rate depending on the average of lives, if she dies sooner than the average, the government will stop paying sooner and make so much money by it. Now, the income of ten thousand dollars, deducting the taxes and the risk of the investment, is only a very moderate sum to live upon. But if she can have in instalments the whole

amount of her money, the principal and interest, to spend during her life, she can live in great comfort. Further, the money that the government receives as deposit may be invested at the highest rate of interest in payment of the national debt, and as the annuitants die out the debt will be paid. Let that annuity be non-assignable and not attachable, and let the checks for it go only to the annuitant personally and quarterly, or if she becomes insane, to her legal guardian.

As it is now I know of no place where such an investment can be made with perfect safety and certainty without its being very costly, heavy charges being collected to pay the profits of some company.

Let me take another case of which, unfortunately, there are so many unhappy ones existing which cannot now be provided for. A man who has worked the earlier part of his life and accumulated a large property, wishes to retire from business, or he would be glad to put his business into the hands of his children to be carried on for their benefit if he could safely do so. Under the terminal annuity system let him take one hundred thousand dollars of his money, or any other sum, and put it into the hands of the government, and receive back from them such portion of it every three months during his lifetime as such a sum will afford. Then he is certain, whatever happens to his business or whatever happens to his children, that he will have a lifelong support of comfortable size, or even better than that during his old age. And when he dies so much of the national debt will have been paid, because that one hundred thousand dollars has already been invested in the payment of the national debt and will not have to be paid over again.

I have said that the system of terminal annuities is an excellent way to borrow money, and in England the government issues annuities when it must have money. But as a rule the English system is that a man shall accumulate all he can to go to his son or according as he may will it. The English plan tends to keep accumulating property in the family, and is opposed to a man's spending all he has upon himself during his lifetime, and thus distributing his estate.

I laid this before two secretaries of the treasury, and the only objection ever made to it was that the government could not do any financial business. With such men as we have often had for

Secretary of the Treasury that is true. The Secretary of the Treasury has no time to attend to any such thing. He has an immense department wherein all the money received and all the money paid out by the United States must be taken care of by one man. It might be possible for him to do that, but still I think there ought to be two secretaries of the treasury, one to take care that the government gets all the money that it ought to get and to take care that it is paid into the treasury, and the other to take care of all the money that is paid out and to see that the government does not pay out anything it ought not to. But the difficulty with a single Secretary of the Treasury is that he has an immense collection of officers under him, and has the virtual appointment of them all; and there is not an honest Secretary of the Treasury that will not say that more of his time is taken up in discussion about offices, in signing commissions, and examinations into their action and in removing them, especially when there is any change in administration, than in all the rest of the business of the treasury.

Such a system of terminal annuities could be carried on very simply, without any complications whatever, and with no opportunity of loss to the government, and with immense gain to our people. It is not half as complicated or exposed to danger and loss as is the money-order system of the post-office department, and yet a few years ago it was thought impossible for that to be done by the government. Here and now is no place to argue these propositions, but simply to state the facts of the advantages of the system, so that, attention being called to them, it may help to work its way to being established.

The other great question which occupied my attention was that of reconstruction. With the radical Republicans of my party I held the proposition that I had before enunciated, namely, that the rebel States should be held as Territories under military government until all possibility of a race war or race dissensions between white and black should be obliterated, and that then those Territories might be admitted into the Union as States when the negro had learned how to be a citizen, and the white man had learned how to be a loyal one.

Slavery had been abolished by the thirteenth article of amendment to the Constitution. Although I finally agreed to this amendment,

yet I differed somewhat from the radical men of my party in that I disbelieved in giving the negro a vote at once. For he was not yet quite taught how to use it, and was about as unfit to as the white man of the Southern States. The white man had misused it grievously and in a manner dangerous to the country, and might so do again; and subsequent events have shown that he has in the matter of State government.

There were gentlemen of the Republican party in the House with political aspirations and hopes of the presidency, which I had not. These gentlemen were running a race to see how soon the Southern States could be admitted so as to take part in the election, and they were very bitterly opposed to my ideas. It is needless to say that the Democratic minority were equally opposed,—I am sorry I cannot with truth say more than "equally." The reason was that the Republican side desired the advantage of the negro vote and the other side wished to take advantage of the white vote.

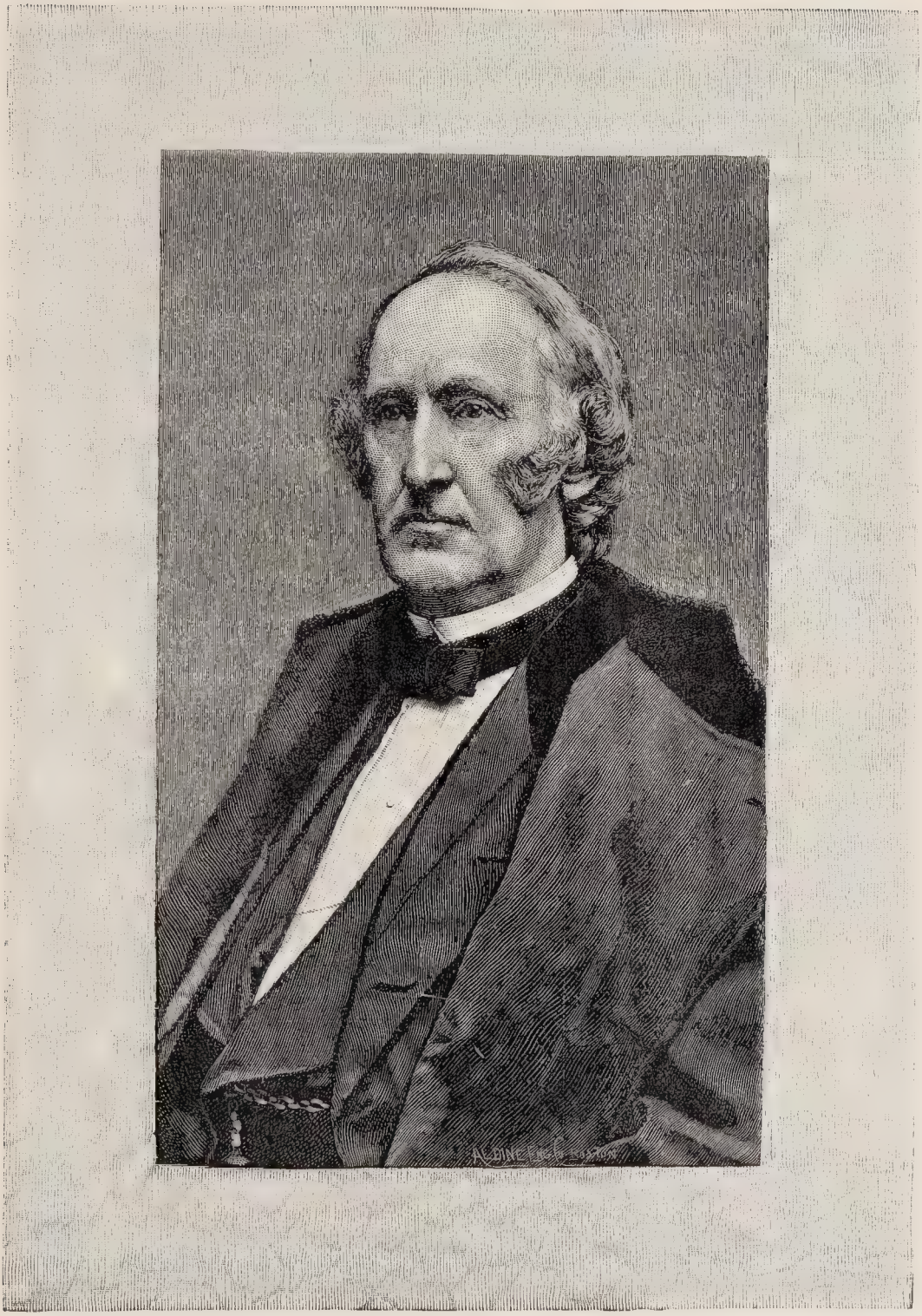
Meanwhile some States were admitted, and, the ballot having been by constitutional amendment granted to the colored men, the white citizens of those States undertook to control the negro in the use of that ballot by a series of outrages and murders never equalled in a civilized country. There were numerous large bands of organized marauders called the Ku Klux, who were dressed in fantastic uniforms, and who rode at night and inflicted unnumbered and horrible outrages upon the negro so that he should not dare to come to the polls. Indeed, the men of the South seemed to think themselves excused in those outrages because they wanted to insure a white man's government in their States.

I desired that Congress should pass laws, which, with their punishments and modes of execution, would be sufficiently severe under the circumstances to prevent those outrages entirely, or at least to punish them. What those laws should be was the subject of most bitter controversy. Many of the Republicans in the House were more bitter in their opposition to stringent laws than were gentlemen on the other side who had served in the Confederate armies. The result was that a bill was taken away from the committee on the revision of laws of which I was the chairman, and given to a special committee. I am desirous of letting bygones be bygones, and I do not write this book for the purpose of reviving old controversies

and quarrels but simply to justify myself in my course, and I mention no names and I do not go into particulars. But if any of my colleagues in Congress, at that time, especially from my own State choose to criticise this part of my work, I shall be very happy hereafter to meet them upon this proposition with an answer in which, if it becomes necessary, I shall declare the *whole* truth and nothing but the truth.

A bill was reported by that special committee. By the bill this murdering of negroes by Ku Klux riders at night was to be deemed conspiracy, and punished by fine and imprisonment. But the prisoner would first have to be convicted by a Southern jury, and upon these juries other members of the Ku Klux could serve if their own cases were not on trial. That bill was passed, and the government made great show of enforcing it. The chief justice of the Supreme Court of the United States even went down to give dignity to the trials and to expound the law; but nobody was convicted, with some few exceptions where the charges were made against some unlucky and unpopular white man of the South. After trying cases a few weeks, the chief justice gave up in despair, and the riders at night went on with their outrages until the good sense of the respectable people of the South put their condemnation upon it and then they stopped. But the outrages did not stop, and murders of white men and colored men on political inducements in some parts of the South have continued to this day. I take leave reverently to thank God that no drop of that blood sprinkles even the hem of my garments.

Early in the administration of President Johnson, under Mr. Seward, Secretary of State, attempts were made to negotiate with England for reparation for the acts — injurious to us — committed by her during the war. These subsequently became known as the Alabama claims, after the captures by the rebel cruiser Alabama and her consorts of our vessels during the war, which drove our commerce substantially from the seas. When the war broke out, America's commerce was the second largest in the world, and not far behind that of Great Britain. When the war closed, our flag had been substantially driven from the ocean. The ports of Great Britain and its colonies had been made depots from which arms, ammunition, and every manner of supplies were shipped to the Confederates. Not to any considerable extent was this the case with the ports of other nations, save, perhaps, of Cuba. It compelled us to establish,



WENDELL PHILLIPS.

at an enormous cost, and maintain for four years, blockading fleets whose business was simply to prevent the running in and out of Confederate ports of vessels loaded with arms, ammunition, provisions, and every class of smuggled goods. As I have stated before, Southern cotton had advanced from ten cents a pound at the beginning of the war to a dollar a pound. It must be had in England or the laborers of her cotton manufactories would starve. The steamship builders of Scotland and England supplied large numbers of blockade runners of the finest construction, and of the greatest speed, so as to elude and escape our slower, old-fashioned naval vessels.

All these smuggled supplies substantially were paid for in cotton, and one half of all the cotton shipped abroad was by the act of the Confederate Congress to be devoted to the purchase of Confederate governmental supplies.

There is a curious fact that I desire to state in regard to blockade running and the capture of blockade runners: An examination of the captures will show a much larger number of the higher class blockade runners captured when coming out again from blockaded ports than when running in. A Scotch runner could be loaded up with supplies of various sorts and run in, we will say at Wilmington, eluding our blockaders by its swiftness. Because of the necessities of the South the cargo of supplies was sold to them at enormous prices and paid for in cotton at ten or fifteen cents a pound, with which the vessel was then loaded to its utmost capacity. That cotton if brought to Europe or a Northern port would bring a dollar a pound, so that the cargo was exceedingly valuable — very much more valuable than the cargo brought in. Every ton would be worth say $2,000, or a hundred tons $200,000, and proportionally more for larger vessels, and that would be the worth of the capture in proportion if the blockade runner was caught coming out and sent as prize to New York. Now one half of the proceeds was always paid to the capturing crew and fleet. But vessels captured when they were running in with an ordinary cargo on board, and sent to New York, would pay not much more, when sold at auction, than the legal costs and expenses of the transaction. Thus our system of prize money was in fact a bribe to every one of our blockading vessels of many, many dollars to let all blockade runners in with their supplies and catch them when they came out with their cargo of cotton.

Yet our Secretary of the Navy never waked up during the four years of the war to that condition under which he put his blockading fleets.

The Dominion of Canada was made a headquarters for the concoction and carrying out of all sorts of incursions upon our territory, robbing banks, setting fire to our cities, sending garments charged with infectious disease to be distributed among our people, and affording a path for supplies of British gold by which our currency was debased by speculators in gold, by raising large premiums upon gold supplied through English sources. These, with the encouragement given by England from the very beginning of the war that if the South could make sufficient headway to justify the British government in declaring the independence of the Confederacy it would so do,—all these formed an aggregate of national wrongs and injuries that could not be compensated for by money. Through the greed of the influence thus moving upon President Johnson, a treaty was concluded which made a settlement of the Alabama claims for the actual destruction of some property. This treaty was submitted to the Senate and rejected, but was again renewed in the commencement of the administration of President Grant. A commission from England was sent to Washington to negotiate it. A treaty was negotiated called the Treaty of Washington, which I then believed, and still believe, to be exceedingly adverse to American interests.

I advised President Grant against it in every possible form, and against any treaty. I said our claims as a nation against England are simply incalculable, and the only negotiation should be to see what recompense other than money we should receive from her. I suggested that in the most diplomatic language possible and with all the amenities of statecraft, we should say in substance to England: "You have done more against our country than you can ever repay. To settle those injuries we want you to remove yourself as far as possible from being our neighbor, and give up the province of Canada. You have been an exceedingly bad neighbor from the beginning, and we want you near us no more. Cede Canada to us and we will settle all difficulties and give you a clean release of all claims."

Grant was impressed with my idea, but the bondholders changed his determination. They claimed that if we had any trouble with England our bonds would be depreciated. To that I answered: "What harm in that depreciation? We shall pay the interest on

them to the last dollar, and some day we shall be able to pay the principal, and whether they are quoted on the stock exchange as worth more or less they will finally be as valuable in fact as if we were in a state of perfect peace."

But nothing that I could do or say would bring him to the point of asking proper reparation from England. We had allowed to us by the Geneva tribunal the sum of $15,000,000, reckoning interest, one third of which we had to pay back because our fishermen fished in Canadian waters, and this one third was claimed to be the value of the fish swimming in the sea we might have caught. That is all that the government ever got for national injuries. All that we did get has been paid out to private claimants, so as a nation we took nothing.

I took no part in the proceedings of the Republican party in seating Hayes, and had nothing to do with what I believed then and still believe was a wrong to the country in debasing the elective franchise.

With the exception of my services in Congress, I had but one other call to public duty on the part of the United States. At the close of the war we had a large number of soldiers wounded and disabled in the line of duty, who had no homes in which they could be properly cared for and no places of refuge at all competent for their condition, save the almshouses of the cities, counties, and States. In 1866 Congress established a national asylum for the relief of the disabled volunteer officers and men, and appointed a Board of Managers to take charge of the same. Of this board I was president and executive officer, which position I continued to hold for some fourteen years.

In 1871 I had a desire to know two things: First, whether having been a consistent Republican and acting with that party, the opposition towards me evinced in all my campaigns for Congress had ceased; and secondly, whether I had not a right to aspire to be governor of my State. Therefore I offered myself to the Republican party as a candidate for the nomination for that office. Upon the contest before the election I was not unfairly beaten by the Hon. William B. Washburn, who was nominated by a small majority over me, and whose election I supported as I ought.

In 1873, supposing that I had gauged the strength of the opposition, I presented myself again as a candidate for the nomination against Governor Washburn. He had some advantage over me in

the fact that he had been governor two years. At the primary meetings for the election of delegates to the convention more than a majority of the delegates elected were in my favor. The State Central Committee, who were bitterly opposed to me, organized the convention against me. They got up contesting delegations and kept the contest going on over those delegates until midnight. By this hour the delegates from the country, who were my friends, had largely gone home. Then the committee were enabled, through fraud and deception, by substituting their own friends for these absent delegates and by putting tickets of admission to the floor into the hands of those who were not elected delegates, to cast a larger number of ballots at midnight than rightfully constituted the convention, and thus they defeated my nomination.

They then declared that I never should be governor of Massachusetts. I answered that declaration of war by saying that I would be governor of Massachusetts. I then came to the conclusion that I could not be governor in the Republican party. I allowed myself to be put in nomination as an independent candidate for governor in 1878, and as such reduced the Republican majority largely. I also had the nomination of the Democratic party; but the same class of men in that party that had always opposed me in the Republican party made a bolt from the convention and ran a candidate against me, so that I was not elected, although I received a very large number of votes. In 1879, I was again candidate for governor, having the nomination of the Democratic party. The Hunker Democrats ran a bolting candidate, and I was again defeated, but held substantially the same vote that I had received the year before.

In 1880 I supported the nomination of General Hancock for President, the first Democratic candidate I had supported for President since the war began.

In 1882 I came to the conclusion to try the question of my being governor of Massachusetts directly and fully against the Republican party, although they had the prestige of just electing a president and had the administration. The hunkers of the Democratic party, having found their utter inability to carry any votes worth counting, did not run a bolting candidate, and I received my nomination from the party with great unanimity. I canvassed the State again and was elected

governor by a plurality of nearly 14,000, the total vote of the State being in the neighborhood of a quarter of a million.

I took my seat and gave the legislature an address in which I advocated many democratic measures. Many of them have since been adopted by the Republican party in their attempts to hold their power.

As this book may be read by people not living in Massachusetts, I may say that the governor of Massachusetts has less administrative power than the governor of any other State. The legislature was in large majority against me. Of his own motion the governor can nominate officers, but these officers cannot serve until the appointments are agreed to by an executive council of nine. In my council every member but one was opposed to me. The governor cannot even pardon an innocent man out of the State prison except by the advice and consent of the council. There was but one thing that I could do, and that was to attempt to reform the eleemosynary institutions of the State. I found that the State almshouse at Tewksbury, where there were some seven or eight hundred State paupers, more or less, had been carried on with such extent of peculation, that even the corpses of the paupers that died there were sold as a matter of traffic, and were delivered at Harvard College for use there; and that sometimes the bodies were skinned and the skins tanned. I attempted an investigation of that lazar house. The Republican party employed counsel to sustain the officer of the institution at great expense, and did everything it could to embarrass me and hinder the investigation. But I managed to have officers appointed to the institution that would do their duty, and for awhile since it has been properly carried on so far as I know and as a private citizen have means of being informed.

This investigation was productive of great good because it called the attention of the whole people of the country in the several States to the condition of things in institutions, and investigations of like character into their affairs in the succeeding year were quite general and caused great reforms.

I forgot to mention that there is one other thing that the governor of Massachusetts by long custom and law can do, and that is to issue a proclamation appointing in the spring a day of fasting and prayer, and in the autumn after the harvest a day of thanksgiving. Thanks-

giving is usually the last Thursday of November, and the day of fasting and prayer is the first Thursday of April.

To state the fact exactly, I had forgotten my duty as to the fasting proclamation. A few days before the time, the Secretary of State came into the executive office, and said: "Governor, have you got your Fast Day proclamation ready?"

"No, I have not," said I.

"Well, you ought to get it ready, because the Friday preceding Fast Day I am to put copies of the proclamation into the hands of the sheriffs of all the counties and to clergymen, who on the next Sunday are to give notice of the fast and read the proclamation from their pulpits. I have but little more than time to do it now, and therefore I want to have the proclamation in the hands of the printer at the earliest possible moment."

"You shall have it, sir," I said," "and I am obliged to you for calling it to my attention." I then reflected. I had written something about almost everything, but my composition had not usually been in the line of Fast Day proclamations. I had heard some read from the pulpit and they were generally pretty lengthy and verbose compositions filled with religious and pious sayings and recommendations. My utter inability to do that sort of thing well, even if I had ever so much time, weighed upon me. But I managed by the second morning afterwards to put into the hands of the Secretary of State a proclamation that was quite satisfactory to me—indeed I thought it a very good one. He took it and distributed it, and on the Friday before Fast Day it was published in the newspapers—that is, in some of the few that would publish anything of mine. I insert here a copy of the proclamation:—

COMMONWEALTH OF MASSACHUSETTS.

By His Excellency Benjamin F. Butler, Governor and Commander-In-Chief.

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A PROCLAMATION

FOR A DAY OF HUMILIATION, FASTING, AND PRAYER.

In conformity with the invariable uses of this Commonwealth and with a sense of our absolute dependence upon the beneficent parent of mankind, and of our numerous and aggravated offences against His holy will

and commandments, I have thought fit to appoint, and by and with the advice and consent of the Council, I do appoint THURSDAY, the 5th day of April next, as a day of public humiliation, fasting, and prayer in this Commonwealth. And I request the ministers and people of every religious denomination throughout the same to assemble on that day in their several places of worship that we may unitedly humble ourselves in the presence of Almighty God, and acknowledge, with deep contrition, our manifold sins and transgressions; that we may devotedly deprecate His judgments and implore His merciful forgiveness through the merits of our blessed Lord and Redeemer.

While we thus bow in humble adoration before the Most High, let us render Him our unfeigned thanks for the numerous instances of His continual bounty toward us and our fathers, whom He planted in this fruitful soil, and, in an especial manner, that He endowed them with wisdom to render this a land of piety, freedom, and order. And, inasmuch as we have disregarded their example and neglected those principles by which they obtained and transmitted to us the inestimable blessings of the Christian religion, of law and of liberty, let us earnestly beseech Him to heal our backslidings and restore us to that temper and conduct by which alone we can hope to be happy in this world and in that which is to come.

At the same time that we look with all humility to His grace for the remission of our sins, let us, with one mind and one voice, supplicate His blessings for us and our beloved country, that He would alike preserve us from the pestilence that walketh in darkness and the destruction that wasteth noonday; that he would graciously smile on the labors of the husbandmen, and cause the earth to bring forth her increase in due season; that He would relieve our commerce from the embarrassments with which it is burdened, and grant that prosperity may again distinguish our navigation and fisheries, so that they who "go down to the sea in ships" and do business in great waters, may have abundant reason to praise His holy name.

That He would afford success to our manufactures and prosper all the works of our hands.

That He would graciously condescend to direct the Government of the United States, and give them wisdom to discern and firmness to pursue the true interests of the country; that He would preserve us from war and from all connections that lead to dishonor and adversity; that He would dispel the clouds that encompass us about, and continue to us the enjoyments of peace, liberty, and religion; that He would influence the governors of the several States to do everything within their respective spheres to

preserve the Union, order, tranquility, and independence of the United States; that He would protect us from the assaults of open enemies, and from the snares of insidious friends; that He would suffer no weapon formed against us to prosper, but would set as naught the councils of those who devise mischief against us.

That He would vouchsafe His blessings on our university, our colleges and seminaries of learning; that He would bless all means used for propagating true religion, and promote the pious purposes of those who endeavor to disseminate a knowledge of the Holy Scriptures that all may learn His will and obey His commandments.

And it is recommended that all unnecessary labor and recreation be suspended on that day; *and I do specially exhort the ministers of the gospel on that day to feed their flocks the divine word, and not discourse upon political and other secular topics which divert the serious thoughts of the people from the humble worship of the Father.*

Given at the council chamber in Boston this 11th day of February, in the year of our Lord 1883, and in the 107th year of the independence of the United States of America.

BENJAMIN F. BUTLER.

By his Excellency the Governor, with the advice and consent of the Council.

HENRY B. PEIRCE, *Secretary.*

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS.

Now, be it known that the good and pious gentlemen who occupied many of the pulpits in Massachusetts were quite active politicians, and it was very common for them to preach political sermons on Fast and Thanksgiving Days. Just as the professors of colleges know all about political economy, and therefore nearly all of them teach free trade, so these clergymen believed they knew all about finance, when the only financial operation which most of them had, except drawing their salaries, was to count the money in the contribution-boxes. I learned on the Monday before Fast Day that a great many of the clergymen had refused to read such a blasphemous proclamation as mine to their congregations; and that some had read it and commented upon it as they read, and that some after reading it carefully emphasized the customary closing phrase, "God save the Commonwealth of Massachusetts" with great fervor, as if under the present governor there was great necessity for such intervention in that

direction. Some of the newspapers criticised it severely. On Fast Day many of the clergymen preached upon it, and expounded its extreme obnoxiousness to everything that was decent and proper.

I bore all this with a patient shrug, "for sufferance is the badge of all our tribe." I even waited until my good friends, the parsons, could have another lick at the proclamation on the next Sunday. Then I thought this matter had gone far enough, and I was put in mind of it by receiving a call from a short-hand reporter representing one of the leading journals of Boston, who came to me and asked me if I had read any of the criticisms of my Fast Day proclamation in the papers or any of the Fast Day sermons that had been published, and whether I would be willing to say anything about them for publication. I told him that my attention being called to the matter of the preparation of the proclamation I sat down to the task and as I was very busy and pressed for time, I bethought myself that possibly some one of my venerable predecessors in office might have issued a proclamation which would suit my case, and I sent for some of the earlier proclamations, and after examining them found one that just suited me. It was the proclamation of Governor Christopher Gore in 1810. I knew something of his history. He was a very learned and pious man, a graduate of Harvard College, for whom one of their principal halls had been named as a memorial. His proclamation calling for prayers for our fishing, navigation, and manufacturing interests seemed appropriate to my condition, and its tone was admirable. It covered every point except one, and that I inserted. Governor Gore asked the people to abstain from all secular labors, but went no further because the clergymen of that day did not usually preach upon secular topics. I added the necessary exhortation against that in the following words:

"I do specially exhort the ministers of the gospel on that day to feed their flocks with the divine word and not discourse upon political and other secular topics which may direct the serious thoughts of the people from the humble worship of the Father."

So that all the criticism except upon that one sentence, for the rest was verbatim, was directed against that learned and pious man and not against me. I was glad that I made the selection of the proclamation of Governor Gore, because I could throw all the blame for want of piety or proper religious sentiment that might appear in

that document upon him, and I claim no credit about the matter except for the selection of the proclamation of Governor Gore, which seemed to me to be the best of those I examined.

I heard that after the publication of my statement in the newspapers pretty much the whole Commonwealth enjoyed themselves in laughing at the ministers' mistakes.

It is needless to mention that the good clergymen of the Commonwealth have subsequently preached against me, although I earnestly hope they all now pray for me.

During my term of office I appointed a few executive officers and some judicial ones to which my council would not consent. I appointed some other officers to whom they were obliged "to advise and consent."

Massachusetts, as it may be remembered, was a strong anti-slavery State. That very humane but rather aggressive doctrine absolutely flamed over the State for years, but no governor had ever appointed a negro to any prominent office.

In the judiciary district of Charlestown, a portion of Boston, the office of judge became vacant, and as we had as a member of the bar in Boston a very reputable and well-read lawyer who was a negro, a Democrat, and formerly a member of the legislature, Edwin G. Walker, Esq., I nominated him for the position, but my Republican council would not advise and consent he should have his commission. I then looked around for another reputable negro lawyer who should be a Republican in politics, and finding one, George L. Ruffin, Esq., nominated him, and the council dared not take the responsibility of his rejection. This judge held his office during his life and to the entire acceptance of the community.

The State prison being in a condition of revolt when I took possession of the executive office I appointed a fellow-soldier, Col. Roland G. Usher, an independent Republican, to be its warden. It had been the custom of former wardens to go around through the prison armed from head to foot. Indeed, years before one warden had been killed by the prisoners. The new warden carried no weapons, and had no guard, and the prisoners treated him as their friend and benefactor. He retained his office through several administrations that succeeded mine, and was asked still further to retain it but resigned to attend to his private business affairs.

No Irish Catholic had ever been appointed to a judicial office in Massachusetts, and a vacancy occurring on the bench in the judicial district of Boston, I appointed an able friend of mine, of that nationality and religious belief, the Hon. M. J. McCafferty, who held the office until his death, with high encomiums from all.

The office of insurance commissioner is one of the most important in Massachusetts. It covers fire and life insurance and a very large number of associations doing business in the State in creating funds by assessments to relieve the necessities of future want, accident, disease, and, in most cases to provide insurance on lives. There had been great complaint of the administration of that office, and the insurance commissioner who had held it for many years resigned. I at first appointed one of my ablest friends, N. A. Plympton, Esq., to that office. But as he had been one of my ardent political friends and, as such, had done what he could to aid me in my canvass, his appointment was of course not consented to by the council. I then appointed my opponent for election to Congress in my last election, Hon. John K. Tarbox, a warm personal friend. His commission issued and he held the office until his death some years afterwards. He inaugurated a system of reforms and put the business of the department on such a basis and brought it up to such a standing that he was re-appointed by those who succeeded me as Republican governors. And, indeed, I may say here that substantially all the officers appointed by me were allowed to serve for years afterwards, so long as health permitted and they chose so to do.

Another amusing incident occurred, the history of which had better be preserved. From the beginning of the government under our Constitution, Harvard College, which was a State institution and was adopted as such by our fathers in the Constitution, had always been visited by the governor in such state as he saw fit upon the occasion of its annual commencement, and it had been the regular custom of the board of overseers of that institution to issue a diploma for the honorary degree of Doctor of Laws to every governor, whether his former life had been that of a shoemaker, a paper maker or a woollen manufacturer, neither of whom made any pretence of a knowledge of the law more than would be required by any intelligent business man. But the government of the institution was composed in a

large majority of my political adversaries, and the president of the board was Mr. Ebenezer Rockwood Hoar, the bolting candidate who ran against me for Congress in 1876, and whom I destroyed utterly by a kindly open letter to him describing his political acts and character, as I have before set forth. Another matter, of which I have already given an account, which might have influenced that board against me, was the investigation of the Tewksbury almshouse. I had brought to light the manner in which the college was unlawfully supplied with many bodies of paupers for dissection.

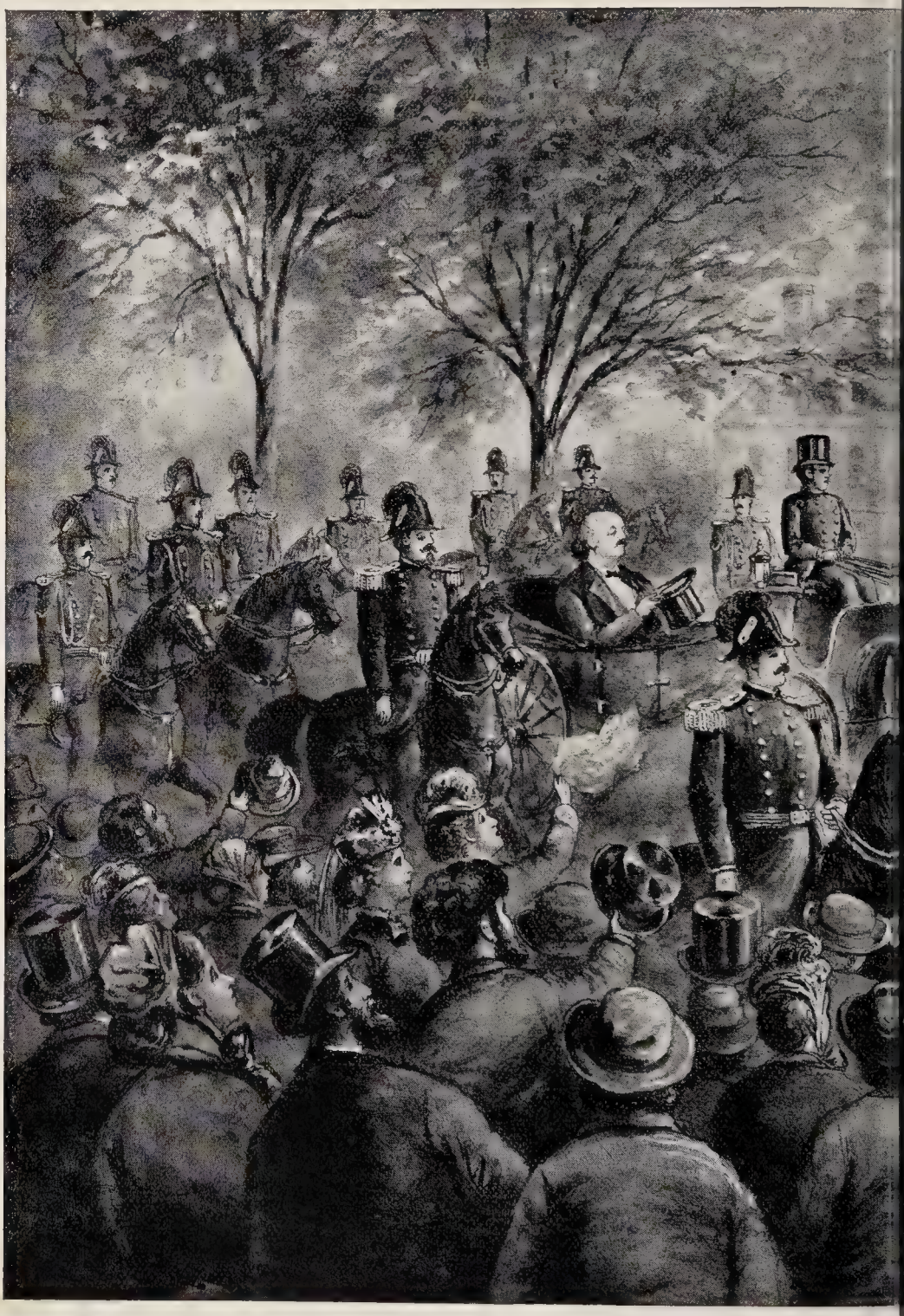
I now learned that for the first time this rule of conferring a degree upon the governor was to be broken, and that it had been voted that the degree of LL. D. should not be conferred upon me. It was also rumored that if the governor attended the commencement he would not be treated by the students with the respect due to his office.

I was not particularly troubled about the degree of LL. D., for that had been conferred on me several years before by the rival of Harvard college in Massachusetts, Williams College; and I now hold that degree in colleges in three New England States, and I can read my diploma in the Latin tongue, as perhaps one half my predecessors in the executive office who got the degree could not do.

The treatment of the students I did not fear, and upon the whole I thought it would be more proper and dignified conduct on my part to attend the commencement with all the state and escort with which any governor had ever attended, especially as I received the customary invitation so to do from the high-minded and learned president of the college, Mr. Eliot. Almost as a matter of course, therefore, I was received with very proper courtesy and treatment upon my visit, which was really a very enjoyable occasion.

One result of this visit was that I broke the mould; the college has not since conferred at its commencement the degree of LL. D. upon all the governors irrespective of their merits to that literary distinction, and they felt themselves obliged to refuse it to my successor, Gov. Geo. D. Robinson, although he was an eminent lawyer, and as such was entitled to that honor.[1]

[1] The college had also been accustomed for many years to give that degree to the President who should visit Massachusetts during his term of office, and it was given to every one without question until it became a matter of discussion in the case of President Andrew Jackson; and while the degree was conferred upon him in due form, one of the students in the senior class addressed the President in behalf of the class in Latin, of which of course he understood not a word. The opposition made much of this and among the jokes, Major Jack Downing, the



GOV. BENJ. F. BUTLER AND ESCORT ON THI




y to University Exercises at Harvard, 1883.

When the necessity for the proclamation of Thanksgiving came I took time to write my own proclamation and it passed muster without a word of adverse criticism, but that was perhaps because it was issued after my defeat at the November election.

At the wishes of my friends I entered into the canvass for a re-election and a very bitter and fatiguing one it was. The Republican party, knowing that if I was re-elected it had lost the State, possibly for all time, put forth every energy to beat me. It may be well for my readers outside the State to know that every man was then required to pay a poll tax before he could vote. The expenditure of money in the State for the payment of poll taxes would very largely increase the vote, and I may say every means was used by my opponents for that purpose. My defeat was wholly due to the opposition headed by the rum element of the Democratic party in Boston, for I carried a majority of the votes in the other portions of the State. This element had been induced, by what means I know not, except that I had done nothing in my administration to favor their traffic, to use their combined efforts in behalf of my opponent. I was informed and believe that the inducement for their so doing was the payment of money by the Republican party to that end. One thing happened: the press in Boston upon which were being printed my ballots the night before election fortunately for them broke down, so that there was a great scarcity of my ballots at the polling-places.

Although I received in excess of 150,000 votes, and the balance of my State ticket received an average of over 146,000, I was defeated by some 9,000 in a total vote largely exceeding that cast in any preceding election.

Having redeemed my promise to my enemies that I would be governor of Massachusetts I have never put myself in the way of being voted for for that place since.

In 1884, I was elected by the Democratic State Convention of Massachusetts one of the delegates at large to attend the National

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humorous letter writer who accompanied Jackson, describing the scene, asserts that at Downingville where the President was received and made a speech, some one called out: "You must give us some Latin, Doctor," whereupon the President off with his hat again and said: "Fellow-citizens, *e pluribus unum, sina qua non.*"

The college still continues its habit of conferring this degree upon the President. The whole performance is a cheap, convenient mode of advertising the college, and in some cases withholding the degree offers a better means of extensive advertising than would have been obtained by conferring it.

Convention at Chicago. I was very kindly received by the multitude attending that convention and was put upon a committee to report a platform for the party. There were very able men in that committee and men of very decided and somewhat discordant opinions.

We found no difficulty in coming together on most questions, but we divided nearly in the middle upon the question of the tariff. As I have stated before I had the strongest belief in the necessity for the protection of American labor, and I have always remained of that conviction. In the then state of the country I thought all other questions were subordinate to this one. On this question the committee remained in conference three days, and I may as well say nights. I could not agree that the Democratic party, which I supposed would be in the ascendant, could stand upon anything but the Jackson doctrine of a "*judicious tariff*," a tariff to raise sufficient revenue for the wants of the country and to give American industry incidental protection against foreign labor. I was overruled and some mongrel resolution was adopted which meant anything or nothing as one chose to construe it.

The committee reported its resolution, and I made a report of the labor convention and received not so large a support as I could wish, but a very generous one. I said I could not support the nominee whoever he might be who stood upon such a platform as had been reported. I thought the nominee should be a western man, a man from a State where large American industries, beside agriculture, were carried on, and I hoped very much that Hendricks of Indiana would be the man Upon a conference with him I said I would support him if nominated notwithstanding the platform, because I knew how a man from a State like Indiana would construe it. But the delegation of the State of New York carried the nomination of Mr. Cleveland by insisting upon voting as a unit, by voting a majority, which States had not unfrequently done in the Democratic conventions before the war. I remember an instance of Virginia voting a great many times in the Baltimore convention which nominated Pierce in favor of Buchanan, although they stood eight to seven as between Buchanan and Douglas.

The nomination of Mr. Cleveland I looked upon as a victory of the free traders of New York City. The convention adjourned and

we went home. I had several strong inducements offered me by my friends, purporting to come from the highest authorities, that in case I would support Mr. Cleveland I should receive the highest consideration in his administration. I replied to that, that I wanted for myself nothing of office; my own law office was better pecuniarily and every other way for me than any office I could have under an administration, and I did not care very much to go further into politics. It is of no special consequence that the three propositions which were adopted by him and that wholly related to public affairs should be set down here and now; they are past.

Looking at the men who were gathered around Mr. Cleveland and at the doctrines they entertained, I thought I foresaw great danger to the country in his election. If the Republican party won, the preservation of the tariff was assured. I thought I would see, by a fusion of the greenback party and the Democrats in the Western States and in New Jersey and New York, if enough votes could not be procured to prevent the election of Mr. Cleveland by getting enough electoral votes for the fusion ticket.

I labored assiduously throughout the campaign to this end. It was supposed that a fusion could be made in Michigan, Indiana, West Virginia, and New Jersey; the fusion was made in Michigan, and we voted a generous ticket with the understanding that the electors should represent the respective parties to the fusion in the proportion of the votes cast by each—that is, if the Democrats cast one half the vote they were to have one half the electors, and the greenbackers were to have the other half, or whatever the relative vote of the two parties was to the electors, they were to be divided in the same proportion.

In Indiana the fusion failed, those having charge of the fusion party in that State, for some reason never explained to me, having given way. In West Virginia and in New Jersey the fusion also failed. The only hope was then in my drawing enough votes from the Democratic party from the State of New York to prevent its throwing its vote for Cleveland. I was supported by the strongest man, the one of the greatest influence that I knew in the State of New York, Mr. John Kelly, who represented the opposition to Mr. Cleveland.

Election day came, and there were votes enough thrown for me

several times over to have prevented Mr. Cleveland's election, but in many of the polling-places they were counted not for me, but for Cleveland, and so the electoral ticket for the State of New York was counted for him by a few hundred votes only.

At first I intended to have an investigation made to prove the facts I have stated, as could have been done; but Mr. Kelly was taken sick almost immediately after the election and could not attend to business. With him to aid me I could have proven the case; without him I could not bring in the witnesses against the great influence of a successful administration and would fail of proof, and therefore the investigation was not instituted. But I felt certain then, as I do now, that there were votes to the number of several thousand that were wrongly counted in that election.

Since that time I have taken no part in politics, save that in the campaign of 1888 I made a single speech in Boston in behalf of the tariff, and I repeated that speech at Detroit, at the request of President Harrison. Michigan was regarded as a doubtful State, as another attempt was being made to have a fusion between the Democrats and greenbackers in that campaign, such as was carried out in the previous one, and I used all the influence I could to prevent its being done.

## CHAPTER XXI.

## PRACTICE OF THE LAW.

THE beginning of Chapter II. of this book having brought the events of my life down to my preparation for my profession and my admission to the bar, I thought it best to postpone a narration of the events of my professional career until I had set forth in due order the circumstances and opinions which brought me into the war and politics and until I had given the history of what I did or omitted to do in those great contests. Since that has been done, imperfectly as it may be, I propose to deal in the following pages, so far as the limits of my undertaking may allow, with the history of my pursuit of my profession. One event which controlled me in this regard was that declining years made it uncertain how long my health and strength would permit me to undergo the great labor of studying and writing a history of the war so far as it concerned myself. Therefore I was induced to do that first, so as to be sure that the narrative of all I had done in the war should be set forth by my own hand, — for nobody could make it complete but myself; and it was due to my own reputation and my children and friends that that should be done at all hazards, if life lasted so long. With this thought I had made provision with my publishers that if health and strength failed me, the rest of my history might be written by an editor who could present that part of my life-work better than I could do it myself, and we had agreed that that editor should be my friend, Mr. James Parton, the historian, who promised, if called upon, to undertake the work. But it has so happened that while writing this book I have been obliged to bow my head with sorrowing anguish beside his coffin.

I began the practice of the law September 3, 1840, being between twenty-one and twenty-two years of age, illy prepared, I admit. I

was not obliged, before entering the courts, to pass through the novitiate that delays most young men. My teacher, Wm. Smith, Esq., had some cases in court which he placed in my charge, he never afterwards himself trying a case in court, to my knowledge, and this brought me early before courts and juries.

During my studies I became enamored with the rules of pleading, and especially with the rules of criminal pleading which seemed to me almost an exact science, requiring accuracy of statement, clearness and earnestness of thought, and exactness in logic, for if the pleader tripped in any one part he failed in all. The statement of civil cases, which at one time was as exact, had so been relaxed by the statutes of jeofails and amendment, that if a lawyer failed to state his case correctly he has an opportunity of trying again by amendment. This was very convenient, but it tended to raise up a class of very poor lawyers, who instead of carefully studying their cases at first, and thinking them out so as to put them in order with exactness, slovenly trusted to regain their lost ground by amending their statements. As the rules of pleading in regard to many petty offences were quite as strict as in higher and more important cases, my attention was turned to the defence of criminals. Not so with civil cases, for of those of importance the young lawyer gets very few.

I tried my cases critically, catching at every point in the faults of my opponents, and of course was immediately called "sharp" by the attorneys conducting criminal causes, who frequently begged of me to overlook their blunders which might enable me to save my clients. But upon these matters I was inexorable; I held that a good point of law in his favor was as much the property of my client as was a good point of fact, and that I had no more right to waive one than to give up the other.

I was quite successful in my defences of criminals, and very early, while it was expected of me that I should speak to the court only with bated "breath and whispering humbleness," I ran against an elderly judge, quite a good lawyer, who believed that young men should take back seats and keep them. I may be permitted to give the incident: —

Peter Moore was indicted for adultery with one Mary Stuart, she being then a married woman, and having a husband alive. Now adultery in Massachusetts was punishable by confinement of three

years in the State Prison, whereas the laws of some States leave that crime as if it were almost an accomplishment.

When Moore was called to plead guilty or not guilty, I took the objection that no offence was stated against him because it was not alleged in the indictment that Mary Stuart was not Moore's wife. The prosecuting attorney, a lawyer advanced in years, stated that that form of indictment was taken from Davis' Precedents, Davis having a great many years before been solicitor-general of the State, and that a great many persons had been convicted upon such an indictment, and the objection had never been taken before. To that I replied that this was a question of pleading, and however long the fault existed it was clear that it did not aver the offence. The court having heard the argument stated that the point was a "sharp" one, and although he might be wrong in his ruling, yet he preferred to err with the ancients, rather than be right with the new notions which were being pressed upon the court. Somewhat to his surprise and disgust I remarked to him that I proposed to show that he had "erred with the ancients," and to do so I should bring a writ of error to the Supreme Court. The case was taken to that court, and after argument the point was decided in my favor. When I got a copy of that decision of the court, I enclosed it to my friend, the presiding justice at the trial, saying that I hoped he would read the decision and have the pleasure of knowing that he had "erred with the ancients." I afterwards tried many cases before him, but he never repeated that phrase to me.

Perhaps the reader will permit another illustration: Elijah Record, who was a burglar by trade, got short of false door-keys and went down to supply himself one morning through one of the principal streets of Lowell. Whenever he saw a key left in the door lock, and the owner of the shop not in sight, he would take it out of the lock and put it in his pocket, for a little filing would make of it a skeleton key which would open several locks. He had got one or more keys and then, coming to a shop, the door of which stood open, being unable to see anybody, he proceeded to take the key from the door and put it in his pocket. But the owner of the store was sitting directly behind the door reading a newspaper. He heard the noise made by turning the key, and saw the key taken out of the door. He sprang after Record, who, unfortunately for him-

self, fell into the arms of a police officer within a few feet, and was arrested, having dropped the abstracted key on the sidewalk, which the owner picked up. It was marked, and Record was taken to the lock-up.

Now Record was known to the district attorney, as he had escaped him once or twice, and he was very glad to get a clear case against him. The city marshal, the prosecuting officer, was so assured of the prosecution of the case, that when he learned that I had been retained by Record's wife for his defence, he said to me: —

"Are you going to defend Record?"

"Yes."

"Well, if you get him off, I will throw up my commission."

"Mr. Adams," I said, "I did not expect so large fees for trying this case, but for it I will do my best."

Record was indicted for stealing from a building, and we went to trial. The fact that he took a key out of a door lock and ran away with it was proven beyond all question. While I was cross-examining a witness, — the man that lost the key, — an elderly member of our bar and friendly to me, said: —

"Butler, why do you take such cases, when you know you are sure to be beaten?"

"It's a custom I have," I said.

When the witness stepped down the district attorney said to the court: "The government rests its case here."

I said: "Mr. Attorney, you don't intend to ask for a verdict of the jury in a case like this, do you?"

"I should like to know why not," said he.

"Well," I answered, "I will tell the court. Larceny is the taking of personal property furtively and devoting it to one's own use. Here it is proven that the prisoner took a key out of a door and ran away with it. Now, if your Honor please, when a key is in its proper place in the door it cannot be stolen, because then it is real estate. When a man dies, his personal estate goes to his executor, his real estate goes to his heirs. Here is the decision that keys in a house pass to the executor. The evidence is that the prisoner at the bar took the key out of its proper place in the door, and that is taking real estate, and taking real estate is not larceny. I move the court to direct a verdict of acquittal."

"What answer have you to make to this, Mr. District Attorney?" said the judge.

He hadn't any, and my client was acquitted.

"Have you anything further against Record, Mr. District Attorney?" continued the judge. "If not, let him be discharged."

"Will your Honor please stop a moment," said I. "I don't want Record discharged. I have not got all my fees yet."

"I thought," the judge laughingly said, "that you were too well instructed a lawyer not to know that it is best to get your fees before you try such cases?'

"I usually do, your Honor," said I; "but in this case, I was promised by the city marshal who sits there that if I got Record clear he would throw up his commission. If he declines to do it, I move your Honor to enforce his promise."

"Well," said the judge laughing, "if I attend to that, I cannot at this time, Mr. Butler.''

"I hardly supposed you could,'' I said, "and Record may go.''

The legislature at its next session passed an act which made severing portions of real estate for a felonious intent larceny, — so that now one may be indicted for stealing apples from trees, which before could not be done. I do not mean it should be understood that I won in all the sharp points I took; far from it, but I took them all the same and not infrequently won.

On the 19th of August, 1841, Congress passed an act establishing a system of bankruptcy. There had been no bankrupt law since that of 1800, and I saw that I should, by studying it, know as much about the new law as anybody, and more, if I examined the decisions under the old system and under the English bankrupt laws with more diligence than anybody else. I also reasoned that there would be a large number of private cases arising under that law. I therefore gave it most painstaking and exhaustive study, devoting to it all the time I had and what I could rob from sleep, in order to prepare myself in this branch of professional work. This was noised about in the profession, and I was applied to at once by some of my seniors at the bar, and I also had some cases of my own under that law. Thus it came about that in 1842 I tried the first two bankrupt cases to a jury. One was before Judge Story in the Circuit Court in the District of Massachusetts, and the other before Judge Harvey in the Circuit

Court of New Hampshire. I won them both, and I believe this was the first instance where a lawyer two years at the bar tried cases of such importance to a jury in the Circuit Court of the United States. I trust I may not appear boastful in making this narrative, because I had nothing to boast of save a devotion to my profession. I do not believe in genius carrying a man along in the practice of the law, and I want here to record for the benefit of the young men who come after me in the profession, that diligence, hard study, and careful thought are the only roads to success in any branch of the law except that possibly a turn for oratory may help the advocate. But the mere advocate, however brilliant, will lose the most cases although he may win the most verdicts.

A legal friend said to me: "I wish, Brother Butler, that in your book you would tell the profession those habits of life and conduct which led you to success as a lawyer." I can do that in a few words: —

The closest application to the study of the law applicable to any case in hand, and careful thought of what the law ought to be as applied to the case, and then the most careful study of the books to see how it has been applied in like instances. I thought out my cases and thought out the law as applied to them, and then verified or corrected my thought by the opinions of the courts. The highest legal authority has declared the common law to be the perfection of common sense, so that any man who thoughtfully applies his common sense ought to know what the common law is. The only need he has of the cases in the books is not so much to guide himself as to use them to direct the minds of the judges to adopt his common sense as the law of the case, resulting from precedents. Therefore I want to repeat, find out the law of the case yourself first, and then by comparison of the cases pertaining to it decide it; perfect your sense as to what the law is. I by no means advise a young man to make himself simply what is known as a "case lawyer," because lawyers of that class endeavor to remember and find a case like their own which has been decided and they rest there in their minds without other diligence or study to see how far that decision sustained the case.

There is a curious fact which has occurred in my own practice, and which I suspect has occurred in the practice of any experienced lawyer. I won more cases which I tried in behalf of the plaintiff

in the younger years of my profession than I win now of the same class in proportion to the number tried after fifty years of professional labor. This would seem to be almost a paradox but an easily explained one. As a young man I took my cases as they came to me, and prepared them for trial substantially before I brought them. Thus, unless I met with some surprise in the state of facts upon which I proceeded, — and I generally took care to know the facts in my cases on both sides before I began, which was the best time to find them out, — it was my fault if I did not sufficiently prepare myself to learn the law in my case. But in later years it is supposed the client does not as a rule apply to the lawyers of years' standing in the profession to have his case begun. This, I take it, is through fear of being put to the expense of large fees. In later years I have been applied to most frequently to take charge of cases that have been substantially lost by proceedings had in them before they came to me; cases that in many instances could have been won if they had been properly taken in hand earlier. In other words I am called in largely in desperate cases. But I have made it the rule of my life never to refuse to assist in trying cases, however desperate, if I believe there is any chance to win. That there should be no mistake of my mention upon this topic I think I may state a case, in a narrative form, so as not to be too tedious: —

Some years ago I was sitting in my office in Washington when a gentleman came in, having under his arm a thick pamphlet with that dirty red paper cover which designated the record of the Supreme Court of the United States. Producing a letter of introduction from a valued friend, giving him a very high character for probity and standing, he said to me: —

"We have a case in the Supreme Court of which this is the record. It has been decided against us. I want you to examine the record carefully and see if there is any way we can save ourselves. What will you charge to do that thoroughly and give us a written opinion?"

Looking ruefully at that thick record I said: "I should not like to state a price without knowing something about the case. Perhaps I shall not choose to give an opinion at all. You appear to be a gentleman of intelligence; please state your case so that I may see what it is."

"I am acting," said he, "in behalf of the American Emigrant Aid Society of Connecticut. Our business has been procuring lands in the western country, generally those denominated swamp lands, and settling emigrants upon them. We got a large quantity of such swamp lands of Adams County, Iowa, after considerable negotiation. They gave our trustee a full deed of them, and we paid them by building a court-house for them, which they received as payment on account, and by paying the balance in money at the price agreed. Afterwards there was a political change in the county officers, and a young lawyer became a member of the board of county authorities. The county under his advice brought a suit against us in the State Court to set aside our deed on the ground that in our negotiations with the county we stated that the lands were worth much less per acre than they were actually worth, and got them at too low a price on that misrepresentation."



BENJ. F. BUTLER IN 1856.
From a Photograph.

"Were the lands part of the county?"

"Yes."

"Is that the only complaint they make against you?"

"Yes; they claim to recover back the money as obtained by false pretences."

"That is impossible; that is against the Scripture: 'It is naught, it is naught, saith the buyer, but when he has gone his way then he boasteth.' Well, what was done with your case?"

"It was brought in the Supreme Court of the State, and being Yankees we took it to the Circuit Court of the United States, and it

was tried there and we were beaten. Then we appealed to the Supreme Court, and it has lain there three or four years. We were heard fully, and the Supreme Court has decided against us."

"You must have left out something in your statement of your case," I said. "The county lived on and owned the lands and knew as much about them as you did. The claim of false pretences cannot be sustained for a moment."

"I have told you the case exactly as it is," said he.

"Very well; has anything else happened?"

"Yes; we moved for a rehearing in the Supreme Court, and that has been decided against us."

"Has anything else happened to your case?"

"Yes; they moved to have a mandate upon which the money was to be accounted for sent down in advance of the usual time. We had a hearing upon that, and that was also decided against us last Monday."

"Now, then," I said, "the patient being dead and buried, and the sexton having gone home to supper, you come to me for resurrection. I must say that I see no earthly opportunity; the rule of the Supreme Court is that it will have but one rehearing in a case."

"But," said he, "it is much to us; we have got seventeen more just such cases with other counties in Iowa or elsewhere, and they will all bring suits."

"Well," said I, "when they bring another suit I will endeavor to do something for you if I can, but it is no use for me to look into this record, this case is a by-gone."

"Well, all the same I want you to look into the record of this case and tell me what is your charge?"

"I ought not to charge anything, for it will do you no good. But I do not read such records for fun; but if you insist upon it, after what I have told you, I will examine it, and give you my opinion, and charge you $500 for so doing."

He wrote his check for the amount, threw his record down on the table, and said: "Whenever you want to see me, send for me, but spare no expense to put this right."

I took the record with me to my house. The next morning, after having finished my New England Sunday breakfast of baked beans and fish-balls, being curious, I opened the record and read it care-

fully through in all its particulars, and I found my client to be exactly right in all his statements of the case. The case as he stated it was all that was set forth in the pleadings, and all to which the evidence applied. I had not the copy of the decision nor the brief of either side so as to know upon what ground the decision was put, and I was exceedingly puzzled, so much so that I read the record once more with great care, and still found myself utterly at a loss. The next morning I sent to the clerk's office for a copy of the decision of the court, and after reading that carefully I was still more puzzled how any such a decision could have been reached. For the court had decided at first that there was nothing in the claim of the county for a right to recover back the money for the lands because of any representations of the buyer that he believed them to be worth less than they were, and I could find nothing else in the record on which a decision could be made against the buyer. During the week I examined all the papers in the case and prepared a motion for another rehearing.

On the following Monday morning I went before the court and with my best bow asked leave to file a motion for a rehearing in the case of the American Emigrant Aid Society, Plaintiff in Error, against the County of Adams. The chief justice looked at me with a little surprise.

"Are you aware, Mr. Butler," said he, "that there has been one motion for a rehearing heard and denied, and that this was the unanimous opinion of the court?"

"Mr. Chief Justice," I replied, "I should not have prepared myself as I ought to have done in the case if I had not learned those facts. I find no fault with the opinion of the court in denying a rehearing, but the whole matter has proceeded upon a very vital mistake."

"How many rehearings," said the chief justice, "do you think ought to be permitted by the court in a given case?"

"I am aware of the rule, your Honor," said I, "but I should say in answer to that question, in the abstract, as many hearings as are necessary to establish the truth and justice of the case; in the concrete, as many as any gentleman fit to practice at your bar will peril his reputation by moving for. And I take leave to assure the court with all due solemnity that a great error has been unfortunately

committed in this case, which the court, if you will grant me a rehearing, will thank me for having brought it to their attention."

Judge Clifford, who sat at the right of the chief justice, and Judge Swayne, who sat at the left, observing my earnestness, leaned forward and conversed with him a moment, and then the chief justice said: "Very well, you may file your motion. You are aware that it is to be argued in writing only?"

"Yes, may it please your Honor; I have some slight acquaintance with the rules of this court. My argument will be on your Honor's consultation table by Saturday, if that will do."

He bowed and I left. During that week I prepared an argument, in the heroic vein, I am bound to say, and had it laid before the court. They held it under consideration about three weeks, and then Judge Bradley, who had delivered the opinion of the court at first, said that he was instructed by the court that the mandate should be withdrawn, the decree reversed, and the case stand for argument on the first day of the next term.

At that term I was present and argued my case, although I was exceedingly busy in my candidature for the governorship. The court took the case under advisement and three or four weeks later Judge Bradley delivered an opinion reversing the former decree and ordering the plaintiff's bill to be dismissed, and that the appellant recover his costs. And afterwards Judge Swayne in a friendly conversation recalled to me what I had said in making my motion for a rehearing, and stated that he personally did thank me for bringing that case again before the court, as a mistake had been made which ought not to have occurred, and which was only accounted for by the haste with which the court had to do its work. I believe this is the only case which has ever been reheard by the court on the second rehearing, except the legal tender cases, and I happened to be concerned with them also.

It is naturally distasteful to me to recall matters wherein I may seem to be making a boast of my own qualities, and as the reader may be led to think that he is not getting an impartial history, I have concluded to set out here what one of the ablest lawyers of Massachusetts, John Quincy Adams Griffin, Esq., and others have said of me as a practitioner at the bar, without my knowledge, rather than to have so much of such details written by myself: —

General Butler has the power, possessed by but few men, of attending to several important mental operations at the same time. An incident will show you my meaning: —

In a trial of quite an important matter, in the year 1860, I was counsel on the same side with General Butler. It was a busy season of the year for lawyers like him, who always had an overflowing docket. The trial began just after his return from the nomination of Breckinridge. He was to make a report of his doings to his constituents at Lowell. The meeting was called to be held at night. Dissatisfaction existed in the party, and the General must, therefore, speak with care and consideration. He determined to write what he was to say. But the court began early and sat late. He took his seat in court, and while the adverse party examined their witnesses in chief, he wrote out his speech, apparently absorbed therein. But he cross-examined each witness at great length, with wonderful thoroughness and acuteness, evincing a perfect knowledge, not only of what the witness had said in substance, but when needful, of the phrases in which he had uttered it. At noon, over our dinner, he read over what he had written and made such corrections as were needful, which were quite as few, I thought, as would have been found if the speech had been written in the quiet of his study. In the afternoon he went through the same routine, and at night made his speech. This is but an instance. Amid confusion of transactions, where other men became indecisive, he always saw his way clear. Whatever his occupations, however intently his mind was employed, it was always safe to interrupt him by suggestions or inquiries about the matter in hand, or anything else, for he could answer on the instant, clearly and without the slightest confusion or distraction of his purpose.

Unexampled success attended his professional efforts, so characterized by zeal and shrewdness. When the war summoned him from these toils, he had a larger practice than any other man in the State. I have no doubt that he tried four times more causes, at least, than any other lawyer, during the ten years preceding the war. The same qualities which made him efficient in the war, made him efficient as a lawyer: Fertile in resources and strategem, earnest and zealous to an extraordinary degree, certain of the integrity of his client's cause, and not inclined to criticise and inquire whether it was strictly constitutional or not, but defending the whole line with a boldness and energy that generally carried court and jury alike. His ingenuity is exhaustless. If he makes a mistake in speech or action, it has no sinister effect, for the reason that he will himself discover and correct the error before any "barren spectator" has seized upon it.

He is faithful and tenacious to the last degree. There is no possibility of treachery in his conduct. "He would not betray the devil to his fellow." Every other prominent Massachusetts Democrat, when it became profitable to do so, condemned a previous coalition that had been entered into between them and the Free Soilers after they had taken and consumed its fruits. General Butler's political interests strongly urged him to the same dishonor. But he never hesitated an instant, and uniformly justified the coalition, and openly defended it in every presence and to the most unwilling ears. In his personal relations the same traits are observable. He is quite too ready, I have sometimes thought, to forgive (he never forgets) injuries, but his memory never fails as to his friends.

"The basis of Napoleon's character," says Gourgand, "was a pleasant humor." "And a man who jests," continues Victor Hugo, "at important junctures, is on familiar terms with events."

A pleasant humor and a lively wit, and their constant exercise, are the possession and the habit of General Butler. Everybody has his anecdote of him. Let me refer to one anecdote of him in this respect, and that shall suffice for the hundreds that I might recall.

The General was a member of our House of Representatives one year when his party was in a hopeless and impotent minority, except on such occasions as he contrived to make it efficient by tactics and strategems of a technical, parliamentary character. The speaker was a Whig, and a thorough partisan. The Whigs were well drilled and had a leader on the floor of very great capacity, Mr. Lord, of Salem. During one angry debate, General Butler attempted to strangle an obnoxious proposal of the majority by tactics. Accordingly he precipitated upon the chair divers questions of order and regularity of proceeding, one after the other. These were debated by Mr. Lord and himself, and then decided by the speaker uniformly according to the notions advanced by Mr. Lord. The General bore this for some time without special complaint, contenting himself with raising new questions. At length, however, he called special attention to the fact that he had been overruled so many times by the chair, within such a space of time, and that, as often, not only had the speaker adopted the result of Mr. Lord's suggestions, but generally had accepted the same words in which to announce it; and, said he: "Mr. Speaker, I cannot complain of these rulings. They doubtless seem to the speaker to be just. I perceive an anxiety on your part to be just to the minority and to me, by whom at this moment they are represented, but you feel as did Saul in his trance on the road to Damascus, 'Lord, what wilt thou have me to do?'"

No man in America can remember facts, important and unimportant, like General Butler. Whatever enters his mind remains there forever. And his knowledge, as I have said, is available the instant it is needed, without confusion or tumult of thought. The testimony delivered through days of dreary trials, without minutes or memoranda of any kind, he could recall in fresher and more accurate phrases, remembering always the substance, and generally all the important expressions, with far more precision than the other counsel and the court could gather it from their "writing books," wherein they had endeavored to record it. Practice for a long series of years had so disciplined his mind in this respect that I think it quite impossible for him to forget.[1] And as he has mingled constantly with every business and interest of humanity since he was admitted to the bar, he has become possessed of a marvellous extent and variety of knowledge respecting the affairs of mankind.

Here are also some comments of other of my associates, and narratives of my cases and conduct, which I prefer to have told in their own words: —

One example of what a writer styles General Butler's legerdemain. A man in Boston, of respectable connections and some wealth, being afflicted with a mania for stealing, was, at length, brought to trial on four indictments; and a host of lawyers were assembled, engaged in the case, expecting a long and sharp contest. It was hot summer weather; the judge was old and indolent; the officers of the court were weary of the session, and anxious to adjourn. General Butler was counsel for the prisoner. It is a law in Massachusetts that the repetition of that crime by the same offender, within a certain period, shall entail a severer punishment than the first offence. A third repetition involves more severity, and a fourth still more. According to this law, the prisoner, if convicted on all four indictments, would be liable to imprisonment in the penitentiary for the term of sixty years. As the court was assembling, General Butler remonstrated with the counsel for the prosecution upon the rigor of their proposed proceedings. Surely one indictment would answer the ends of justice; why condemn the man to imprisonment for life for what was, evidently, more a disease than a crime? They agreed, at length, to quash three of the indictments, on condition that the prisoner should plead guilty to the one which charged the theft of the greatest amount. The prisoner was arraigned.

[1] Very early in my practice I adopted as a maxim, that if the jury were obliged to remember all testimony without memoranda, so as to decide the case upon it, the lawyer should be able to remember it as accurately as they, to state it to them exactly in the argument. So I learned to try all cases without taking any minutes.

"Are you guilty or not guilty?"

"Say 'guilty,' sir," said General Butler, from his place in the bar, in his most commanding tone.

The man cast a helpless, worried look at his counsel, and said nothing.

"Say 'guilty,' sir," repeated the General, looking into the prisoner's eyes.

The man, without a will, was compelled to obey, by every constitution of his infirm mind.

"Guilty," he faltered, and sunk down into his seat, crushed with a sense of shame.

"Now, gentlemen," said the counsel for the prisoner, "have I, or have I not, performed my part of the compact?"

"You have."

"Then perform yours."

This was done. A *nol pros.* was duly entered upon the three indictments. The counsel for the prosecution immediately moved for sentence on the fourth, to which the prisoner had pleaded guilty.

General Butler then rose, with that indictment in his hand, and pointed out a flaw in it, manifest and fatal. The error was in designating the place where the crime was committed.

"Your honor perceives," said the General, "that this court has no jurisdiction in the matter. I move that the prisoner be discharged from custody."

Ten minutes from that time, the astounded man was walking out of the court-room free.

The flaw in the indictment, General Butler discovered the moment after the compact was made. If he had gone to the prisoner, and spent five minutes in inducing him to consent to the arrangement, the sharp opposing counsel, long accustomed to his tactics, would have suspected a ruse and eagerly scanned the indictment. He relied, therefore, solely on the power which a man with a will has over a man who has none, and so merely commanded the plea of guilty. The court, it is said, not unwilling to escape a long trial, laughed at the manœuvre, and complimented the successful lawyer upon the excellent "discipline" which he maintained among his clients.

His audacity and quickness stood him in good stead. One of his first cases being called in court, he said in the usual way: "Let notice be given!"

"In what paper?" asked the aged clerk of the court, a strenuous Whig.

"In the Lowell *Advertiser*," was the reply. Now, the *Advertiser*, being a Jackson paper, was never mentioned in a Middlesex court; and of its mere existence few there present would confess a knowledge.

"The Lowell *Advertiser?*" said the clerk, with disdainful nonchalance, "I don't know such a paper."

"Pray, Mr. Clerk," said the lawyer, "do not interrupt the proceedings of the court; for if you begin to tell us what you don't know, there will be no time for anything else."

He was always prompt with a retort of this kind. So, at a later day, when he was cross-questioning a witness in not the most respectful manner, and the counsel interposing, reminding him that the witness was a professor in Harvard College, he instantly replied: "I am aware of it, your honor; we hung one of them the other day."

I tried causes frequently in the States of New Hampshire, Maine, and Massachusetts, and in quite all the circuit courts of all the districts of the latter State. My docket contained causes of every description of practice and in regard to all possible business, so that from necessity preparing myself to examine and cross-examine experts in every class of business, I became more or less an expert in all myself. I suppose I may mention a few of the more important cases, especially where great principles were decided, in all of which I was engaged as leading counsel.

In 1853 the legislature passed an act annexing the city of Charlestown to the city of Boston, provided both cities, by ballot in the majority, should decide to accept the annexation, such acceptance to be certified to the Secretary of State by a certificate of the popular vote by a majority of the mayor and aldermen of each city. The vote of Boston was strongly in favor of annexation. There was a very strong feeling against it in Charlestown. Public meetings were held; all sorts of printed publications made, in fact a regular canvass. The vote in both cities was held on the same day. The Boston majority for the annexation was duly certified at once to the Secretary of State, and by him published. The fact that Charlestown had, by a small majority, voted in the affirmative duly appeared in the journals, but four out of seven aldermen were opposed to annexation, and determined to prevent it if they could. As they had nothing to do but certify the vote, apparently, it would be held that they would be obliged by a mandamus from the court to do that. Boston rejoiced greatly, and without waiting for the action of its sister city, Charlestown, proceeded to take possession of Charlestown, divided it into wards, laid out streets and did everything as if the

matter was settled. The aldermen who had determined to obstruct the annexation proceedings applied to me and Mr. Griffin and declared that if they could escape the penalties of the law they would not certify the vote if that would do any good. We examined the question carefully and gave an opinion that under the statute, annexation could not take place until the popular vote in favor of it was duly certified to the Secretary of State by a majority of the mayor and aldermen of the city of Charlestown. And if a majority of that board would not certify it, they might be compelled to do so upon a petition of the attorney-general to the Supreme Court for a mandamus. The aldermen exhorted us to do everything we could to prevent annexation. We thereupon notified the attorney-general that my clients peremptorily refused to certify to the vote on the ground that the act requiring them to do it was unconstitutional and void, and not within the legislative power.

The leader of the other side in Charlestown moved upon the attorney-general for a petition for mandamus to be brought. All the facts were agreed, and the questions arose as they would under bill and answer in equity. The case was argued before five justices, at the head of whom was the most learned and the ablest judge of this State, Lemuel Shaw, Esq.

I was no favorite of his in my earlier days. He was a man of somewhat forbidding exterior and manners, but of the finest qualities of head and heart. Liking or disliking a man did not interfere with his doing him full justice on the bench. He had a brusque sort of humor which all who knew him enjoyed very much.

On one occasion there had been sent me a lot of very fine black otter skins by a member of the Hudson Bay Company. These I had made into a very nice coat, which in the inclement weather covered me from the cold and wet. One morning I went into the consultation room of the Supreme Court to meet Judge Shaw on a mere formal matter like signing an order. He greeted me very pleasantly and kindly. We sat a moment after what the judge had to do was done, and he admired my coat exceedingly, looking it over and praising it highly. At last looking up with a quizzical smile he said: "How is it, Mr. Butler? what are those lines in Pope? Aren't they something like this: —

The fur that warmed a monarch warms a bear.

I said: "I think you are a little mixed in your tenses this morning, Mr. Chief Justice."

"Not as to the last fact," said he.

I said he was brusque in his manner, especially on the bench. One day shortly before my Charlestown case came up I was going down in the cars from Lowell to Boston, and at the request of a merchant friend of mine, whose watch dog had been poisoned, I was taking down my own to leave with him. My dog was an immense mastiff, with a black muzzle, very quiet but very powerful. The smoking-car was always a sort of exchange as we went down. It was used by the passengers for playing cards and for familiar chat. I had no sooner entered the car with the dog behind me than I was saluted with: "Halloa, halloa, Butler, where are you going this morning?"

"Down to the Supreme Court, gentlemen."

"Is that your dog?"

"Yes."

"What are you taking him down to court for?"

"Oh," I said, "I thought I would show him the chief justice so as to teach him to growl."

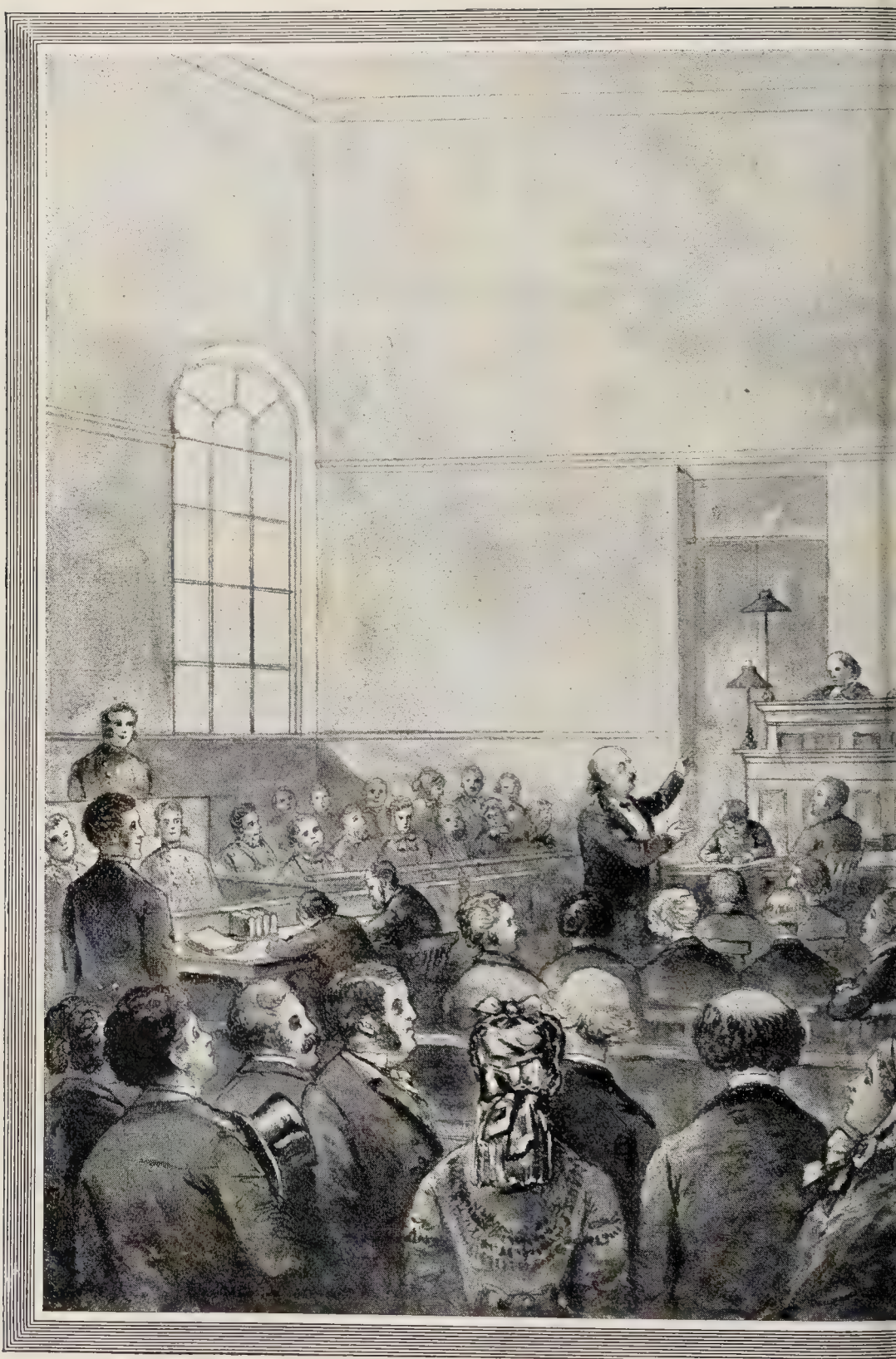
Shortly afterward, the Charlestown case was tried and decided upon every point in my behalf, the chief justice delivering the opinion, and it was so conclusive that it put off the annexation of Charlestown to Boston for twenty years.

Shortly after this I called in the course of business into the consultation room where sat the chief justice alone, and after the usual salutation he began: "Well, Mr. Butler, you won your Charlestown case?"

"Oh," I said, "thanks, Mr. Chief Justice; I am exceedingly obliged to you for giving me that case."

"Well, then, Mr. Butler, I take it you have no fault to find with that last growl of the chief justice."

My last act toward him was after he resigned at the end of thirty years' service as chief justice. I was chairman of the committee of the bar to make a proper address on that occasion in their behalf. Our committee went to his house on Mt. Vernon Street, as he was not able to come out in the inclement weather. I took great pains with that address, feeling every appreciative word in it from my very heart. The chief justice attempted to reply to it, but his feelings



General Butler Arguing Against the




EXATION OF CHARLESTOWN TO BOSTON.

overcame him. He broke down in his expressions, but came forward to me, and pressing my hand, said: "And this, too, to come from your lips and inspired by your kindness."

I never saw him again because in the following spring I left for the war and he died during that year.

My connection with the Charlestown case was of very great advantage to me because it brought me prominently and successfully forward as an advocate in the higher branches of constitutional law.

In 1845 I was admitted to the Supreme Court of the United States, upon the motion of the Hon. Levi Woodbury, Jackson's Secretary of the Navy and Secretary of the Treasury. It was at the same term in which Seward and Lincoln were admitted, and I believe I am now the oldest living practitioner in that court by date of commission. I was then in my 27th year, and among the youngest, if not the youngest, ever admitted to that court, for in the olden time only the elder members of the bar got to Washington to be admitted. But I had the fortune to have drawn the specification for the patent of Elias Howe, a native of Massachusetts, for his invention of the sewing machine. This brought me there to argue a motion in that court, but I did not do so as the case was settled.

The first important case that I argued in the Supreme Court was in 1857. It was Sutter *vs.* the United States. Sutter had been fortunate enough to find gold in the raceway of his sawmill near Sacramento in 1849. The case involved the effect of the laws and action of the provincial governors of Mexico in granting titles to very extended parcels of lands. The rules which should govern the distribution of that land and the validity of titles to such land under our treaty of Guadalupe Hidalgo were under discussion in that case. It was a leading case upon those questions and affected the title of real property to the value of many millions. The case brought me somewhat before the people of the Western country, and I have had occasion to argue quite a number of cases since involving questions of Mexican law. This, I believe, has not happened to any other New England lawyer, certainly not to the extent it has to me.

I was employed by Mr. Speed, the Attorney-General of the United States, to assist Mr. Stansbury in the argument of the case of Milligan vs. the United States. This case involved questions of new

and untried law in this country, and which had not been distinctly settled anywhere else. The case was this: —

There was a body of quasi-secessionists in Indiana and the adjoining States known as the Knights of the Golden Circle. Milligan was a member of that body and there was an accusation made against him of being a party to a conspiracy to release the Confederate prisoners of war from Johnson's Island and send them back to the assistance of the enemy.[1]

Milligan was tried by a military commission, duly convened. The commission heard the case in due form and advised his punishment. Being held in prison to await the result of that proceeding, a writ of *habeas corpus* was brought in his favor to have him released, and in due course of the law it came before the Supreme Court of the United States.

It was alleged in the charges that Indiana was, at the time of the acts set forth, the theatre of war in time of war and that the State was held by military forces of the United States which were guarding it against these transactions, and had military control of the State. It was further alleged that Milligan was not a soldier of the United States and was, therefore, within the jurisdiction of these military forces and amenable for his military offences to the action of the military commission.

This was the first time that the action of a military commission had come directly before the Supreme Court. Every step in the proceedings was contested by the learned counsel who appeared for Milligan, the Hon. Jere S. Black, the Hon. David W. Field, and General Garfield, the latter of whom was brought into the case to give it some tinge of loyalty, and other counsel. The cause of the United States was sustained by the court in every point but one, and that was, as the Circuit Court of the United States was open in Indiana, that therefore, Milligan had a right to be tried before the circuit court. There was no allegation in the pleadings that the circuit court was open. But the court said that it would take judicial notice of that, and that in consequence of its being open the case was not within the jurisdiction of the military authorities for trial. While, of course,

[1] This conspiracy has been most ably treated by Gen. John A. Logan in his work, "The Great Conspiracy," showing its vast extent and importance. He was one of the ablest and most successful volunteer generals, and a most loyal Democrat, and he afterwards entered the United States Senate — as a Republican.

bowing to the decision, I have always thought, with all deference, that it was a pusillanimous one. The opinion was sustained by a majority of only one, the chief justice being a dissenter.

My argument on that point was this: The record alleged that the acts were done while Indiana was the theatre of war; that was admitted. All acts to rescue prisoners of war and afford aid and comfort to the enemy and turn the prisoners loose upon their guards, are warlike acts. I held that this was in time of war, and while Indiana was under military jurisdiction. If the courts were open, they were open only by military permission. They were not open for the purpose of trying cases which were within military jurisdiction, but for proceedings between party and party and with the ordinary business arising in those courts in the time of peace, and such as had no effect upon the Government of the United States. I called the attention of the court to the fact that the courts of the District of Columbia were open, when the sounds of the rebel General Early's cannon were ringing in the ears of the judges of the courts, and everybody else was under the full jurisdiction of the military. Could it be said, then, that the men of Early who were captured were to be tried by civil law by the courts of the district which were utterly powerless to give any force and effect to their decrees? I argued that the court could not take judicial notice of the fact that the courts of Indiana was open; all they could have notice of was that the court ought to have been open, as peace ought to have reigned in Indiana, but it did not.

I take the liberty to remark here, that during the whole War of the Rebellion the government was rarely ever aided by the decisions of the Supreme Court, but usually was impeded and disturbed by them. After I left Baltimore Chief Justice Taney issued a *habeas corpus* to release a secessionist who had been captured and was held by the orders of the President of the United States. So that the President was obliged to suspend the writ of *habeas corpus* in order to relieve himself from the rulings of that chief justice who delivered the opinion substantially that the negro had no rights that a white man was bound to respect.

While I remained in Washington, I was trying cases before the supreme court of the district and the Supreme Court of the United States. There was one case which I tried before both courts which was very important, not only for the amount involved, but as establish-

ing a precedent which had not then been established in England or in this country.

In April, 1862, when Farragut made his wonderful passage with his fleet to New Orleans, he took possession of a large amount of water-borne property, especially coal afloat, and many vessels, a considerable number of which originally belonged to Northern owners who had sent them down there before the war broke out. Among them were several valuable river steamers.

When I occupied the city with my troops, many of these vessels became necessary as a means of transportation, and were turned over by the navy to the army by appraisement. So also was the coal and other property captured afloat, for it was the prize of war.

The Prize Act makes it the duty of the Secretary of the Navy, upon the capture of property, to see that it is brought before a prize court within three months, or the captor may bring suit in prize in any court after that time.

The whole value of the property captured amounted to nearly two million dollars. Farragut was by far too busy fighting during the war to go around with a marking-pot, — as Porter did, stencil-marking bales of cotton on shore in the Red River campaign: "Captured by the U. S. Navy. D. D. Porter," — and, there being no district court in New Orleans, this property captured by Farragut could not by him be brought before a prize court there.

After the close of the war, nothing having been done, Vice-Admiral Theodorus Bailey, second in command, called upon me and asked me to get the vessels and other property captured by himself and Farragut condemned as prizes. Accordingly, I filed libels in prize against the property in the supreme court of the district. The Secretary of the Navy employed counsel to represent that department in the matter. We had a hearing before the circuit court of the district sitting in admiralty, which made the decision that the libels should be sustained, and that a prize commissioner should be appointed to take testimony. This decision was made by a single judge, and no appeal was taken from this decision. While the testimony was being gathered up and taken before the prize commissioner, I went home to Massachusetts. In my absence a meddling attorney, by the name of Corwine, went to the Secretary of the Treasury and told him that the Farragut cases would take a large sum of money out of the

treasury, and that if he could be employed he could stop the proceeding.

Now, these cases were no more the business of the Secretary of the Treasury, than was the question what the Emperor of China should have for breakfast the next morning. Two departments, the Law Department and the Navy Department, were already engaged in the case to look after the interests of the United States. But Corwine got his employment, and then proceeded, without any notice to anybody engaged in the case on any side of it, to make a motion before a single judge of the supreme court of the district. This judge, without giving a hearing and without notice to anybody, ordered the libels to be dismissed. How that could be done I never could understand or account for, except that there was a story that this judge sometimes drank more of something besides water than was good for him. However that may be, I did not get any notice of that most disreputable proceeding for months, and then I found it out only by looking at the docket of the court to see at what time I could give notice to go on with the taking of the testimony. I then took an appeal from that proceeding to the whole court sitting in banc, and without any difficulty got my case reinstated.

Utterly disgusted with being obliged to try a case involving more than a million in money where such unheard-of proceedings could take place, and desiring nothing but the best adjudication of the case, I appealed to the Attorney-General, the Secretary of the Navy, and the Secretary of the Treasury, as he had got into it, for an agreement that the case should be referred by the rule of the court to three arbitrators,— two of them men of the highest standing as lawyers, the Hon. Henry W. Paine, of Massachusetts, and the Hon. Thos. J. Durant, of Louisiana, and the third, the Hon. Gustavus V. Fox, late assistant Secretary of the Navy,— who would have a knowledge of the course involved in the proceedings, with the right to appeal from the judgment of the admiralty court to the Supreme Court.

When I presented this agreement to the Attorney-General, he said: "Who ever heard of a question of prize being submitted to arbitration? Have you got any precedent for it?"

"No, Mr. Attorney-General, I have not, but I do not see why you should object. If we go on and try under arbitration and it is not proper jurisdiction you can set it all aside if you want to. It gives

you one more chance against me; but I am willing to take that risk rather than to try the case before the admiralty court, some of the judges of which are at all times a *full* court."

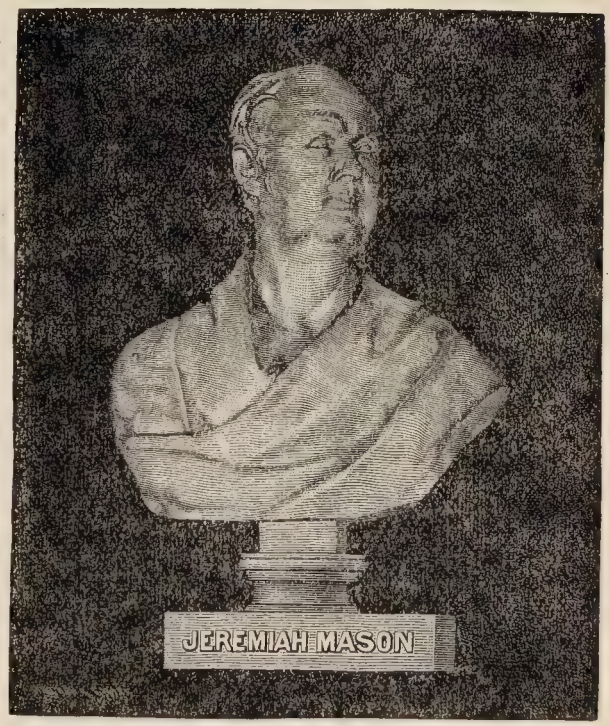
The agreement for the rule of arbitration, being signed by the Attorney-General, the Secretary of the Navy, and the Secretary of the Treasury, was presented to the court. The rule was made absolute and the referees were appointed. The case was heard at length before the arbitrators and an award found in favor of Farragut for substantially all the items claimed. The award was confirmed by the Court of Appeals. A bill was taken in the United States Supreme Court, the United States wanting to have a full hearing. The judgment in our favor, carrying more than one million dollars, was sustained. The precedent decided that any controversy between party and party, under the rule of the court, might be sent to a board of referees or arbitrators to be tried.

By the rules of prize cases, as all the costs are to come out of the prize money, including fees of counsel, there must be judgment by the court for those fees. When that question was brought up I happened not to be in Washington, so that I could not appear in my own favor. The court awarded me seventy-five thousand dollars,— little enough, because the case was one of great labor and had been before the several courts a number of years. I only mention the question of fees now because when I was before the people of the State of Massachusetts in the campaign for the governorship, the Republican party and Republican speakers attacked me very virulently regarding the enormous charges that I had demanded and received from the United States, insisting that nothing but some false and underhanded agreement could account for it.

A lawyer in full practice who carefully prepares his cases must study almost every variety of business and many of the sciences. Thus of necessity he is taught many things by his professional labors, which would not be taught to a man in any other pursuit of life. In almost all important cases, especially those relating to personal injuries of any sort,— including of course death by murder,— and those relating to the action of machines and machinery in pressing patent cases, if a lawyer hopes for success he should make himself fully acquainted with everything of science or fact that pertains to the case in hand.

In quite all important cases more or less expert testimony is introduced before the court,—that is, testimony of men thoroughly acquainted with the matters of the subject. The lawyer must be prepared to cope with such testimony on the one side for himself, and to cross-examine the witnesses of his opponent whenever produced. An expert's testimony, for which large sums are generally paid, is usually a sworn argument for the benefit of the party who calls him. It is, therefore, of the greatest importance that the opposing counsel should be expert enough on the matter in question to be able to cross-examine and detect the weak points in the expert argument against him.

I have defended scores of cases where the question of sanity was the main one in the case, and I have brought many suits against physicians for malpractice as to many parts of the human frame. So that, in preparing myself in that class of cases, I have been obliged to make full studies in regard to the operation of the mind and also studies of the separate parts of the body, and the character of their ailments and the treatment thereof, so as to be able in some degree to cope with the hundreds of surgeons and physicians who have come upon the stand to testify as experts to save their brothers.



Engraved from a Life-size Bust in General Butler's Library.

So in accident cases upon railroads: I have spent days in examining all parts of engines and trains and especially the capabilities to start and stop a train. I have ridden many hundred miles upon the engine upon different roads and learned enough so as to run an engine myself, a knowledge which did me good service at one time in Louisiana.

I have spent days in machine shops upon the same and kindred

questions. In one very important case I spent a week in the repair shop of a railroad and a part of the time with my coat off, with a hammer in my hands, ascertaining the capabilities of iron to resist pressure, and studying the probable result of the breakage of an axle under the tender of an engine. On these points my case turned; and I may say that my instruction so acquired saved the case.

In fine, a lawyer who sits in his office and prepares his cases only by the statements of those who are brought to him will be very likely to be beaten.

When I was quite a young man I was called upon to defend a man for homicide. He and his associate had been engaged in a quarrel which proceeded to blows and at last to stones. My client with a sharp stone struck the deceased in the head on that part usually called the temple. The man went and sat down on a curbstone, the blood streaming from his face, and shortly afterwards fell over dead.

The theory of the government was that he died from the wound in the temporal artery. My theory was that the man died of apoplexy, and that if he had bled more from the temporal artery he might have been saved, — a wide enough difference in the theories of the cause of death.

Of course to be enabled to carry out my proposition I must know all about the temporal artery, its location, its functions, its capabilities to allow the blood to pass through it, and in how short a time a man could bleed to death through the temporal artery; also, how far excitement in a body stirred almost to frenzy in an embittered conflict and largely under the influence of liquor on a hot day, would tend to produce apoplexy. I was relieved on these two points in my case because the government did not come prepared to deal with that subject, but relied wholly upon the testimony of a surgeon that the man bled to death from the cut on the temporal artery from a stone in the hand of my client. That surgeon was one of those who we sometimes see on the stand who think that what they don't know on the subject of their profession is not worth knowing. He testified positively and distinctly that there was and could be no other cause for death except the bleeding from the temporal artery, and he described the action of the bleeding and the amount of blood discharged.

Upon all these questions I had thoroughly prepared myself. On cross-examination, I said: "Doctor, you have talked a great deal

about the temporal artery; now will you please describe it and its functions? I suppose the temporal artery is so called because it supplies the flesh on the outside of the skull, especially that part we call the temples, with blood."

"Yes; that is so," he answered.

"Very well. Where does the temporal artery take its rise in the system? Is it at the heart?"

"No," he said, "the aorta is the only artery leaving the heart which carries blood toward the head. Branches from it carry the blood up through the opening into the skull at the neck, and the temporal artery branches from one of these."

"Doctor, where does it branch off from it? on the inside or the outside of the skull?"

"On the inside."

"Does it have anything to do inside with supplying the brain?"

"No."

"Well, Doctor, how does it get outside to supply the head and temples?"

"Oh," he said, "it passes out through its appropriate opening in the skull."

"Is that through the eyes?"

"No."

"The ears?"

"No."

"It would be inconvenient to go through the mouth, would it not, Doctor?"

Here I produced from my green bag a skull. "I cannot find any opening on this skull which I think is appropriate to the temporal artery. Will you please point out the appropriate opening through which the temporal artery passes from the inside to the outside of the skull?"

He was utterly unable so to do.

I said: "Doctor, I don't think I will trouble you any further; you can step down." He did so, and my client's life was saved on that point.

The temporal artery doesn't go inside the skull at all.

Perhaps I may state another case illustrative of the necessity for the lawyer in trying his cases to have some knowledge of the human system and the causes of its disturbances.

I had a young client who was on a railroad car when it was derailed by a broken switch. The car ran at considerable speed over the cross-ties for some distance, and my client was thrown up and down with great violence on his seat. After the accident, when he recovered from the bruising, it was found that his nervous system had been wholly shattered, and that he could not control his nerves in the slightest degree by any act of his will. When the case came to trial, the production of the pin by which the position of the switch was controlled, two thirds worn away and broken off, settled the liability of the road for any damages that occurred from that cause, and the case resolved itself into a question of the amount of damages only. My claim was that my client's condition was an incurable one, arising from the injury to the spinal cord. The claim put forward on behalf of the railroad was that it was simply nervousness, which probably would disappear in a short time. The surgeon who appeared for the road claimed the privilege of examining my client personally before he should testify. I did not care to object to that, and the doctor who was my witness and the railroad surgeon went into the consultation-room together and had a full examination in which I took no part, having looked into that matter before.

After some substantially immaterial matters on the part of the defence the surgeon was called and was qualified as a witness. He testified that he was a man of great position in his profession. Of course, in that I was not interested, for I knew he could qualify himself as an expert. In his direct examination he spent a good deal of the time in giving a very learned and somewhat technical description of the condition of my client. He admitted that my client's nervous system was very much shattered, but he also stated that it would probably be only temporary. Of all this I took little notice; for to tell the truth I had been up quite late the night before and in the warm court-room felt a little sleepy. But the counsel for the road put this question to him: —

"Doctor, to what do you attribute this condition of the plaintiff which you describe?"

"Hysteria, sir; he is hysterical."

That waked me up. I said: "Doctor, did I understand — I was not paying proper attention — to what did you attribute this nervous condition of my client?"

"Hysteria, sir."

I subsided, and the examination went on until it came my turn to cross-examine.

"Do I understand," I said, "that you think this condition of my client wholly hysterical?"

"Yes, sir; undoubtedly."

"And therefore won't last long?"

"No, sir; not likely to."

"Well," said I, "Doctor, let us see; is not the disease called hysteria and its effects hysterics; and isn't it true that hysteria, hysterics, hysterical, all come from the Greek word *ὑστέρα*?"

"It may be."

"Don't say it may, Doctor; isn't it? Isn't an exact translation of the Greek word *ὑστέρα*, the English word 'womb'?"

"You are right, sir."

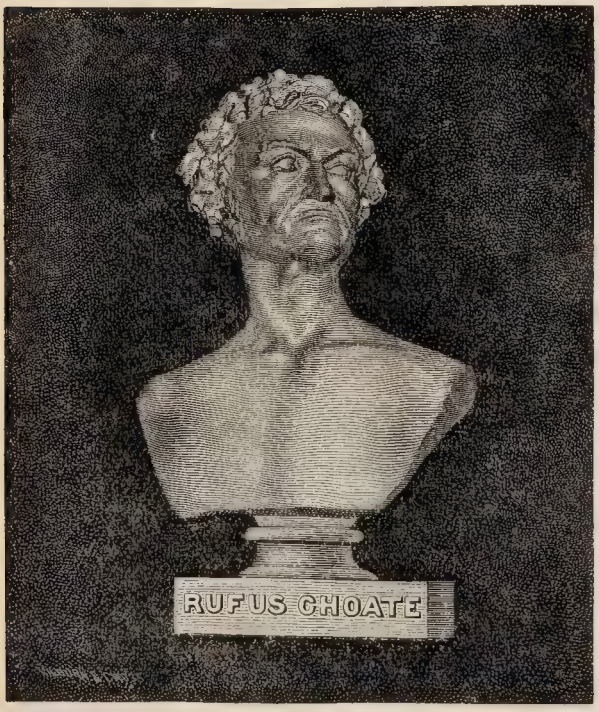
"Well, Doctor, this morning when you examined this young man here," pointing to my client, "did you find that he had a womb? I was not aware of it before, but I will have him examined over again and see if I can find it. That is all, Doctor; you may step down."

I may be permitted perhaps to give one more case in which I was engaged, not very long before I went into the army, which illustrates the instruction which full law practice brings to a lawyer. It was this: —

The son of a very warm friend had been on board the ship Storm King at Hong Kong in China. The Storm King had prepared for a race from Hong Kong to London with another clipper ship, so she was obliged to start as nearly as might be when her rival did. My client was third mate, but owing to some claimed misunderstanding between him and the captain he was dismated and sent forward to live with the crew in the forecastle. There was no time in which to furnish the ship with fresh meat and vegetables for the voyage, such as would prevent the breaking out of the scurvy, or at least it was not done. Indeed, all the fresh meat on board consisted of a small pig, and that was disposed of on the cabin table. The vessel made a direct course to London, beating her competitor, I believe. A part of the crew were Chinamen, and by the time they got past the Cape of Good Hope the whole crew were affected with the scurvy. To such an

extent did this prevail that when the vessel anchored in London, out of her crew of twenty-six men, as I remember the numbers, all but seven had to be hoisted over the side because it was impossible for them to help themselves. Among them was my client.

After examining the question I brought suit against the captain of the ship, alleging that my client had had the scurvy because the vessel had not taken any sufficient supplies of fresh provisions and vegetables for a long voyage, and because the captain did not stop anywhere to get any. The suit was brought in the County of Middlesex, of course, where my client lived. The owner of the vessel, who stood at the head of the East India trade, took the suit in great dudgeon. He said he did not want any country lawyer — meaning me — to control the method of fitting out ships for the East India trade; that it was as good as it could be; that everything for their comfort and convenience was given to the crew, and that the case should be fought as far as he could go. He employed a lawyer, afterwards most famous as an advocate, G. A. Somerby, Esq., and also the Hon. Rufus Choate, who was the first advocate of New England if not of the United States. I had with me a young gentleman who did not practise much in the courts in the trial of cases,— a relative of the plaintiff and quite capable. As I had been notified, every possible defence was to be taken. In the first place they were to claim that the ship was entirely properly fitted out as regards provisions; second, that there was no place in which the ship could stop to get even fresh potatoes; and, third, that my client hadn't the scurvy at all but a disease which bore no relation to it.




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The whole East India trade and a large portion of the Boston merchants came as witnesses for the defence. I said to Mr. Choate that that defence would cost his client, I was certain, a good deal more than we had claimed for damages, and that perhaps his client would like to make some settlement, for I confess that I was a little alarmed and scurvy hadn't been much in my line. I knew that Captain Cook had buried the members of his crew who had the scurvy in the earth at the Sandwich Islands to cure them, and that is all I knew, and I saw very extended and onerous study would be necessary in many parts of the case. Mr. Choate told me it was no use to speak of compromise. The East India trade was determined to make an example of this case so that its trade should never be interfered with again. "Very well, then," I said, "let her go; we will have an example for somebody."

The trial of the case was commenced, and it lasted nineteen working days. It was tried from nine o'clock in the morning to four o'clock in the evening in the court, and the rest of the time I was occupied in preparing it. The whole of sanitary science and the whole of sanitary law, the narratives of navigators and the usages of navies, reports of parliamentary commissions and diaries of philanthropical investigators, ancient log-books and new treatises of maritime law, the testimony of mariners and the opinions of physicians, all were made tributary to the case. I exhibited to the jury a large map of the world, and taking the log of the ship in my hand, read its daily entries, and as I did so, I marked on the map the ship's course, showing plainly to the eyes of the jury that on four different occasions, while the crew were rotting with the scurvy, the ship passed within a few hours' sail of islands, renowned in all those seas for the abundance, the excellence, and the cheapness of their vegetables.

Mr. Choate contested every point with all his skill and eloquence. As I have said, the end of the daily session was only the beginning of my day's work; for there were new points to be investigated, other facts to be discovered, more witnesses to be hunted up. I rummaged libraries, pored over encyclopædias and gazetteers, ferreted out old sailors, and went into court every morning with a mass of new material, and followed by a train of old doctors or old sailors to support a position shaken the day before. In the course

of the trial, I had on the witness-stand nearly every eminent physician in Boston, and nearly every sea-captain and ship-owner. I studied five treatises on scurvy, one very old German one printed in Latin. I mention that because it contained an authority that I could find nowhere else, and when I brought it to the attention of one of the defendant's physicians on the cross-examination he admitted that he had never heard of it before, and more than that I had to read it to him as he could not read its language.

The case was submitted to the jury on a very able and impartial charge of the presiding justice, and we obtained a verdict of three thousand dollars, which was paid with interest and a very large amount of costs.

The education of this case was of immense value to me and I think to the country during the war. Three occasions presented themselves where I found the men under my command affected with scurvy. Not one of the doctors of their regiment had reported it to me, and I found out the fact myself only because I inspected my own hospitals and knew what I was looking for.

I have mentioned above that in preparing cases I have had to spend days in a machine shop, and I will state a case in which that happened, as an encouragement and an instruction to my young friends of the bar as to how I think a case should be prepared.

In November of the year 1852, it will be remembered, General Franklin Pierce of New Hampshire was elected President. In the December following, himself, his wife, and only son, a lad about ten years old, got on board the cars at Boston to go to their home at Concord, New Hampshire. When about twenty-four or twenty-five miles from Boston, and between two and three miles from the town of Andover, the train was derailed by the breaking of the forward axle of the tender on the left side. The train happened to be on a slight curve and along a high embankment built up largely of rubble-stone. By the shock the cars were thrown from the track, and some of them went down the embankment. The President and his wife were substantially unhurt, but the son, who was standing up looking out of the window, was instantly killed. Some half dozen others were killed and many were wounded.

By the law of Massachusetts the administrator of a passenger killed by negligence or malfeasance of a railroad corporation in run-

ning a train could recover by indictment five thousand dollars penalty for the death. In the year following the accident, a son who was the administrator of his father, whose name I do not now remember, had an indictment found against the railroad for the death of the father upon the train. The negligence relied on in the case was that the axle, which broke at the journal,— that is, at the line inside of the box in which the axle runs, and between it and the wheel,— had been cracked for a very long time. The crack had opened clear around the axle, which was two and one half inches in diameter, and the wheel had been wabbling backward and forward on that crack until the faces of the iron in the axle had all been worn and pointed, yet not absolutely smooth. A portion a little less than an inch in diameter in the centre of the axle alone held it at the moment when it broke.

The condition in which the axle was found was the fact relied upon by the prosecution to show that the crack had been there a very long time; and at first sight without careful thought it would seem almost conclusive. If the crack had been there for the time supposed to be necessary to give the axle that appearance on the broken end, it seemed clearly negligence on the part of the railroad not to have discovered it by some means or tests.

I had nothing to do with the case, pro or con, but one morning I received a note from President Pierce, who was in Washington, saying that he wished that I would take part in the case and defend the road. He did not himself believe that the road was in any way to blame, but believed it was a pure accident, and he did not desire to have any measures taken against the road in behalf of his son's estate. More than that, Mrs. Pierce believed it was a pure accident, and wanted to have it shown as such, because she believed that it was a visitation of special Providence to take away from the President his son that he might better be prepared to devote himself wholly to the duties of his great office.

I had known General Pierce from my youth up; I had tried cases with him and I had tried cases against him, and I felt highly complimented at his selection of me to go into the case. I reverenced the deep piety of Mrs. Pierce, who was one of the most devout women I ever knew, although I did not quite concur with her logic, because I could not see why Divine Providence might not as well work

through the means of a drunken brakeman, which would be negligence of the corporation, as from a pure accident.

I replied to the President that if he wished it I would take hold and do what I could to demonstrate that it was a pure accident, but there was a difficulty in the way. I had brought and tried a great many more suits against that corporation than I had defended, and I did not see how I was to get retained in the case.

He wrote me back thanking me and saying that he would attend to that. The next thing that happened was that the president of the corporation called at my office, saying that he wanted to retain me in the case, and wanted me to take every pains to defend the corporation. Meantime I had looked in the report of the legal examiner whose duty it was to examine into such questions, and I had thought out a little my course of defence.

"Then, Mr. President," I said, "I shall want in the preparation of your defence to have access to your repair shop, and to have everything done there that I desire."

"Certainly," said he, and wrote an order to that effect.

As soon as I had opportunity I went up to the repair shop and took a look at the broken axle. I saw that it was of fine iron or it would not have held as long as it did. I examined particularly the man detailed to inspect axles by tapping them with a hammer, that I might learn whether he knew that he tapped it that day before the train went out, and whether he detected anything, by the sound, of the presence of a crack. He assured me with great positiveness that he had struck the axle twice, but found no signs of a crack. I did not believe much in that, because, in the first place, I doubted if it would show by the sound whether it was cracked, and I also thought that he would say what he did say whether he had heard it or not.

I then caused an axle of the same size and of the same iron to be broken square off by hydraulic pressure, the ends showing the same grain of iron as was shown in the centre of the one broken in the accident. I had a piece of this newly broken axle put solidly in a vise. I then asked a skilled mechanic to take a fourteen-pound hammer used for riveting large rivets, and with such blows as he would use in heading a rivet, keeping an account of them accurately, to make the broken end of this axle as nearly an exact fac-simile as

possible of the one broken under the tender. I stood over him while he did it, keeping the account myself of the number of blows.

Next, I interviewed the engineer and fireman of the train, and asked them if anything to attract their attention had happened to the train after it left Boston. They said there had not until they got to Andover, but passing the street at Andover they struck a very severe blow on a frog, which afterwards was found to have been misplaced, and although they slowed up the speed of the train they could see no evil effects from this, and therefore went on until the time of the accident, when suddenly the axle broke and the train was derailed.

They said on the next morning they went down to this spot where they felt the shock and found that the frog was very much bruised by something having struck it, and upon inquiry they had learned that a heavy load of stone had passed over the upper portion of the frog and displaced it so as to push the end of it away from the line of the track on which the train was running at the time of the accident.

I had a very careful measurement made of the distance between the frog and the place of the derailment of the train. The fireman said that he was on the tender shovelling coal at the time of the blow, and that apparently it was very much heavier on the tender than it was to the engine. Assuming that the axle was cracked back there at the frog, and that the crack opened and closed at least once with every revolution of the wheel, by taking the circumference of the wheel I was able to calculate that the crack would open and close more times in running the distance than it took blows of the hammer to smooth the end of the axle experimented upon, provided the weight of the tender was as effective only as the blow of the hammer.

The prosecution evidently had not reflected upon these circumstances, if they knew of them.

They put on the stand a very honest, reliable and competent railroad machinist, from the Providence Railroad repair shop, I think. They showed him the axle and asked him to explain to the jury how it broke. He said in substance that a crack had been started around the axle in the line made by the tool in turning out the journal; that after it was cracked, as the wheel revolved, the pressure was brought upon every part of that crack as the surfaces separated by the crack were brought together; and that pressure would tend to wear the

surface of the iron in the crack until it was given the appearance shown in the axle; and that the crack went on opening and closing and operating as a hammer would operate until it got so far enough down in the axle that the iron that was left was not strong enough to sustain the weight of the tender on the axle. He supposed that it broke at the moment that it did because of some shock given in turning the curve.

He was asked how far the wheel would have to run in order to have the broken face worn down as much as it was. He said he had never seen any experiment from which to judge, but as it must have started at first very slowly, he should think it must have taken a very great number of revolutions of the wheel. He thought that it might have run for three months to make the axle look as it was; how much more he could not say, and it might be considerably less, but he thought not much.

Upon cross-examination I presented him my fac-simile of the axle and asked him what difference, if any, he could see between it and the one broken in the accident. He looked at them very carefully and said that he saw no special difference. I asked him if my fac-simile could be made by ordinary blows with a riveting hammer of fourteen pounds weight. He said he thought it might.

"Well," said I, "would the weight of the tender, as the wheel revolved, make an impact as heavy as an ordinary blow of such a hammer?"

"When the crack first started," he said, "it might not, but subsequently and especially toward the last it would be very much heavier, because the crack then would have got so far open as to give an actual blow when it closed."

"Here," I said, "is another piece of axle broken short off. Will you, if I will pay you for your time and trouble as I ought to, after you leave the stand take this to a neighboring machine shop and put it in a vise, and see how long it will take you to make this last piece of axle resemble as nearly as possible the broken one of the tender?"

"Yes, if it won't take me too long," said he, very good-naturedly.

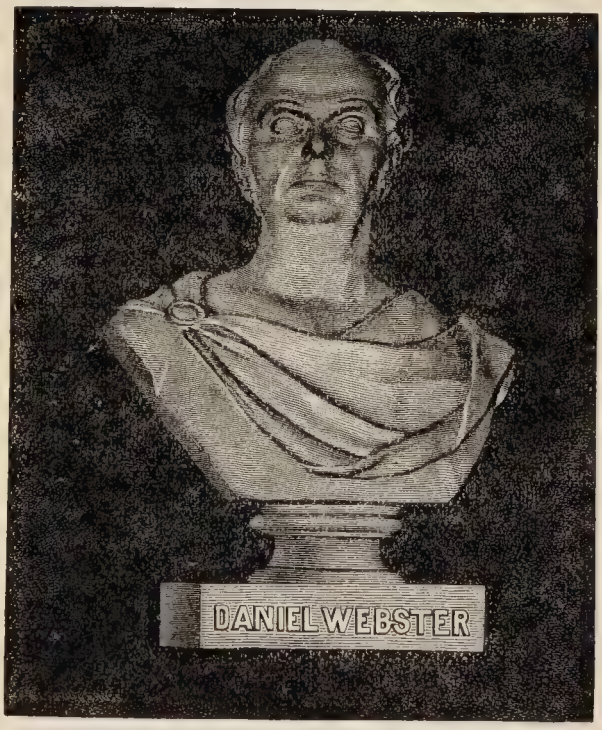
"I hope it won't keep you too long," I said, "but I want you to keep an account of the blows that you strike, and also keep an account of the time, and in the morning I will finish your cross-examination."

When he came in in the morning he brought in his work and he had made rather a better fac-simile than mine. I asked him the number of blows used, which he gave me, and which I now forget.

"Now," said I, "suppose that by some sudden jar this crack had been started in the axle under the tender and had gone on until it broke, would not the broken end look exactly as it does now and as the one you have made with the hammer?"

He said he did not see why it would not.

"First the circumference of the wheel we know as so much," I continued. "Now, the cracked surface of the axle would receive a blow at least every time the wheel revolved in running the distance of two and one half miles. Won't you take your pencil and calculate and tell us whether it would not receive more blows in going that distance than it took you to smooth down the end of the axle which I gave you?"




Engraved from a Life-size Bust in General Butler's Library.

He started back after he got through his calculation, saying: "I never thought of this before; I shall have to take back my answer about how long it would take to put the axle in this condition after the crack commenced, and saying I don't know anything about it."

I then put on my own testimony upon the matter and showed that some quarter less blows were used in preparing the end of the other axle than the broken axle received in going the distance from the frog in Andover to where the derailment took place. I then put on the testimony of my engineer and fireman, who gave their evidence in a very straightforward, honest manner. I also put on my man who said he tapped the wheels, but after he left the stand I told the

jury I was bound to call him but I didn't place any special reliance on his testimony, because he was under great temptation to tell the story as he did to save himself from harm, although I believe he honestly thought so. It went to the jury, who gave us a verdict.

There were no other cases drawn out of this derailment tried to my knowledge. I am happy to say that the verdict of the jury entirely confirmed Mrs. Pierce in her belief, and as she thanked me more than once for my exertion in ferreting out the matter I certainly did not enter into any discussion as to her faith.

I have spoken of defending men when on trial for their lives. It is never a profitable thing to do, and always an unpleasant thing, because involving great responsibility. One sometimes does not get as payment even the gratitude of his client when he is successful. I have a curious incident of that:

A man of about twenty-six or twenty-seven years of age broke into a small way station or depot of the Fitchburg railroad in Waltham, Mass., but did not find anything there which he chose to take away. He was seen in the act of departing on the train and went up the road a few miles to Lincoln. A telegram was sent after him with directions for the depot master, who was also a constable, to arrest him for breaking into a railroad depot. The constable identified him, and when the train started took him out of the train which went on, leaving at the depot only the constable and two boys of eight or nine years of age and the prisoner. The constable was about closing up his depot and said to the man, whose name was Carey: "I have got to take you back to Waltham, but it is dinner-time, and if you will go into the house with me,"—which was a little distance from the depot —"we will have some dinner before we go."

He had hardly uttered the words when Carey jumped through the window on the opposite side of the door and ran away. The constable immediately ran after him, followed by the boys. Carey, not knowing the ground, ran for the woods, and ran directly into a *cul de sac* made by the Stony Brook River in its meanderings there. It was too wide for him to cross readily, and Carey was brought to bay. He turned upon the constable and produced a revolver, saying: "If you come near me I will shoot you."

No braver man ever lived than that constable Heywood. He jumped for his prisoner, and Carey fired and shot him directly through the

heart, and he fell dead. The boys immediately ran away and gave the alarm, and Carey disappeared in the bushes. The hue and cry was raised, and the culprit, having gone quite a distance through the woods, came out where there were three or four of his pursuers, who immediately laid hold of him. A thing that showed the steadiness of his nerve was that he then had in his hand a gray squirrel which he had shot with his pistol while he was being pursued. The evidence of the boys was plenary, and he was committed to jail for murder.

Lincoln is about six miles from Concord. I was at Concord attending the court. The constable was a Democratic friend of mine who always used to go to the convention as a delegate, and I always sent him the political documents of the campaign to be distributed. Hearing of his death, and not being engaged on the day of the funeral, I took my horse and rode over to Lincoln to attend his funeral, with as much grief as I would attend the funeral of any dear friend.

In the February term Carey was indicted for murder, and in the April term of the Supreme Court at Lowell he was arraigned and pleaded not guilty.

Now, there is a custom which has become a law that where a prisoner who is to be tried for his life has no counsel the court must appoint someone to defend the case. I had never seen the prisoner, and knew nothing about him, but when the chief justice asked him: "Carey, have you any counsel?" he said: "I should like to have Mr. Butler."

The horror of defending the murderer of my friend quite overcame me. I said: —

"I would like to ask your Honor to appoint other counsel. Your Honor knows I have been engaged to defend quite a number of men on trial for their lives and it is a thankless and profitless task."

My using the word "profitless" was very unfortunate, because the chief justice thought that I was making the question a matter of fees, and he replied with some severity: —

"Mr. Butler, this is a duty which, when the court assigns a member of the bar, he cannot very well decline. Whom shall I appoint to assist you?" I saw that I was in for it and asked for a member of the bar to aid me. He was duly assigned. I think it was the

Hon. Benjamin Dean, of Boston, but I may be mistaken. We examined our client's apparently desperate case. I don't know whether I or Mr. Dean first suggested the point, but we came to the conclusion that we would raise the following question: —

Our statutes for burglary, breaking and entering, include almost every description of building save a depot or railroad station house, and the evidence was that he broke into a depot in Waltham. If that was not within the statute, it was a breaking and entering not a felony, for which the constable could not arrest him without a warrant, and therefore the constable's proceedings were wholly illegal. The resisting of illegal arrest, and the defending of himself against it even with a pistol, and with death ensuing, was not murder, and the man must be convicted of manslaughter only.

Murder trials were before at least three justices of the Supreme Court at that time, and on the trial we took the above-mentioned point. The law perhaps was clear enough on the question of what the building was. The question was argued with great ability for the prosecution by the attorney-general, and I replied with a great deal of earnestness in defence of my point of law. The court took it into consideration and spent three hours in consultation, and at last gave an opinion two to one sustaining my point. Thereupon Carey was convicted of manslaughter and sentenced to twenty years in the State prison, the longest term for which the law allowed him to be sentenced. After he was sentenced I stepped back to the dock and said: "Carey, you have had a narrow escape; I think you may feel obliged for that point of law."

"No; I wish I had been sentenced to be hanged."

"I wish you had let me know your preference a few hours ago," I said, "and I would have accommodated you." And that was all the fee I got for trying this case except $2.50 which the law paid to me.

That was not all. Cambridge is perhaps twelve miles distant from Lincoln, which is a nice little town, at that time not having a doctor, a pauper, or a lawyer in it. The constable, I believe, had also been tax collector and held several other local offices, for he was one of the most popular of their townsmen. The people of the town had many of them turned out to see his murderer convicted, and their disgust was infinite when they saw his fast friend of years, and a man

who had attended his funeral, earnestly and zealously defending his murderer's life, and at last saving it. They came to the determination that a lawyer so utterly lost to every sense of decency and proper conduct, hardly deserving to live, should never have a vote in that town if he ever ran for office; and they with vigor carried out that determination at the next election.

That was a favorite method in Massachusetts of dealing with a lawyer who did not carry on his business to suit a community, and this I will illustrate by another case: —

The town of Malden, a very excellent town in which very fine people lived, and in which I was reasonably popular, got its first fire engine. Then they had a fire and the engine squirted. The boys had never seen an engine squirt. Then they had cakes and coffee, which were distributed freely to the firemen and boys. Soon afterwards they had another fire in which rather a worthless barn was burned, and the engine turned out again and squirted some more, and more cakes and coffee were distributed. Then shortly after another barn took fire, and there were more cakes and coffee. By that time the good farmers of Malden came to the conclusion that there was a "fire bug" in their midst who was going to burn down everything, and the town offered $300 or $500 reward to anybody who would catch the "fire bug."

One of the constables of the town had observed that three of the finest boys in the town were always together at the fires, and he came to the conclusion that they had something to do with the fires, or knew something about them. So he went to them separately and told each one of them that the other two had confessed to him that they had started the fires, and that if the one present then did not confess he would be sent to prison, but if he would confess he should have a part of the reward. And when he had got that confession he proceeded to have the boys arrested for arson in the night-time, and had such large bail fixed that it would be very difficult to get. And then he went before the grand jury and told his story of what they said to him. The boys were in prison, and of course there were three weeping fathers and mothers in my office the next day.

I heard them and told the fathers to go down to the jail and tell their boys not to speak a word to anybody about what they had done,

no matter what was said or done by anyone; that I was their counsel, and if they wanted to speak to any person they could speak to me. In a day from that time I saw them.

In the course of a few weeks they were brought to Lowell for trial, and pretty much all Malden came up to see the "fire bugs" dealt with. I moved for separate trials and got them. I had learned exactly all that the constable had told the boys. They had told me truly and the only danger was that the constable would deny telling what he did tell them.

The constable was put on the stand and he glorified himself slightly in describing his efforts to arrest the boys. Then he was asked what the boy on trial said to him.

"Stop a moment, Mr. Constable," said I; "may it please your Honor, I want to find out first what he said to the boys, because perhaps it won't be of any consequence what they said to him. Now," said I, "Mr. Constable, I want you to tell exactly what you said to the boys. I know from them, and you must tell the truth about it, because there are three of them to one. Didn't you tell the boys each that the others had confessed in these words?" — giving the words.

"Yes, sir."

"And didn't you tell my client at the bar that if he would confess he should have a part of the $500, and wasn't that before he confessed anything?"

"Yes, sir."

"Well," I said, "may it please your Honor, I think we won't hear anything from this man of what the boys said to him, because any confession obtained by an officer by an inducement cannot be heard in a court of justice. Mr. District Attorney, you had better call your next witness."

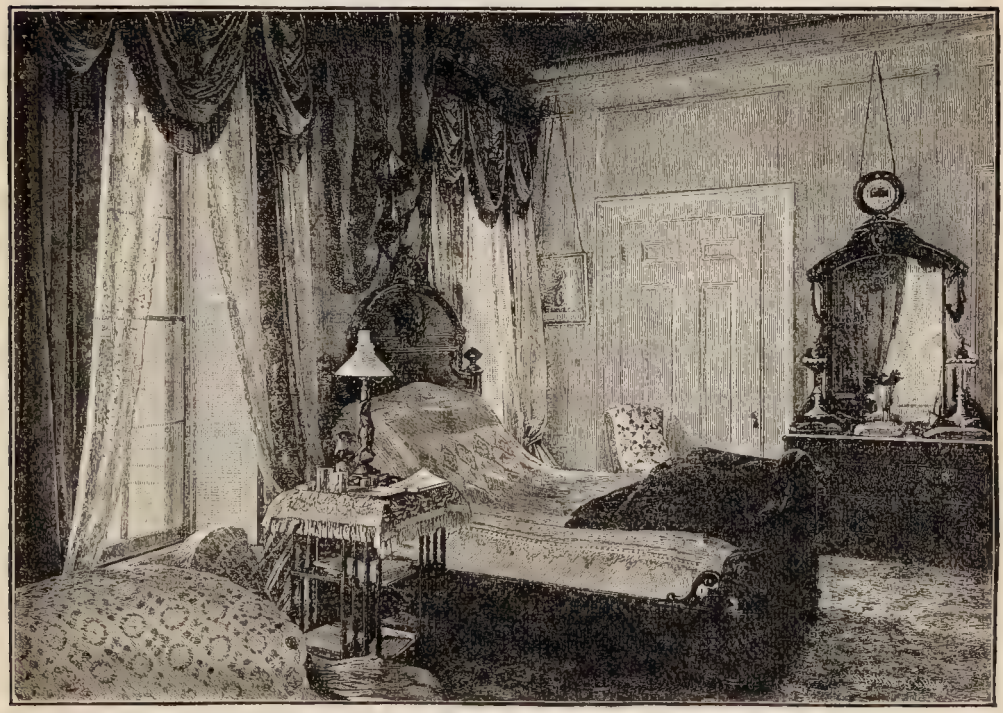
The court sustained my point. The attorney hadn't any next witness, and that boy went free, and there was no other testimony against the other two boys, and they all went home that evening, and so did the rest of the inhabitants of Malden. But that night they hanged the poor lawyer in effigy.

I am glad to say that Malden was not in my district then, so that it didn't alter the votes. The next time I was a candidate, and afterwards when I was running for office, Malden was largely on

my side. I am certain the three boys voted for me every time, whatever the constable may have done.

So that it will be seen that a lawyer's life is not free from thorns, and that sharp points of law even in favor of the greatest criminals are not to be despised or disregarded.

I think I ought to set out here the facts of a story which has been in circulation in the newspapers for quite fifty years, and about the only one that was always told in my favor that was so circulated. I do this in order to show that there is not one word of truth in it. I



VIEWS AT GENERAL BUTLER'S HOME AT LOWELL. SLEEPING APARTMENT.

have not felt it my duty to expose it before because I thought there were so many lies told against me that I had a sort of proprietary right to the only one told in my favor. Very many of my readers will recognize it when I say it is the story about my attaching the water-wheel of a mill to get a girl's wages. The exact facts are these: —

We had a rule in our mills in Lowell, and a very proper one, among the eight or ten incorporated manufactories, that wages should be paid the last Saturday in every month. This rule was religiously kept until the law interfered, requiring payments weekly.

Another rule was that whenever a person was discharged from the service by the authority of the corporation he was to be paid. A third was that operatives discharging themselves were not to be paid until the pay-day next following. The rule, although it appears harsh at first, was quite reasonable because it prevented the necessity of keeping a quantity of money exposed to loss or fire. Very many of the operatives left work and were refused their pay. They went to a lawyer to have a suit brought for it, the writ to be returnable a fortnight later. But by that time the pay-day would probably come round, and it was not always quite certain whether any recovery could be had.

With the officers of some of the mills I was quite intimate and on friendly terms. Others thought it their political duty to be on unfriendly terms. I had an arrangement with some of the mills by which, when I was applied to in such cases, I was to send a note up to the paymaster to ascertain what was due and he would send the information, and I would pay the amount over to my client, and send to the paymaster for the amount at pay-day. The only loss to anybody was the diminution of my bank account for fifteen or twenty days for such sums, but I would much rather endure that than be bothered with the bringing of suits.

One morning a snappy-eyed old maid from Vermont came into my office and sat herself down and said: "Are you Lawyer Butler?"

"Yes, madam."

"I have been to work in the ——— corporation for five years, and I wanted to go home, and so I told my overseer that I was going home, and asked for my pay. He said I must work out my notice [which was a regulation for two weeks' work] or wait until pay-day. I said I would not do either. I know exactly what my pay is because I work by the piece. Now, I want you to sue the corporation for my pay for I want to go home to-morrow."

"Well, my good woman," said I, "I could not by suit get it by to-morrow, but I will see what I can do for you." I turned to my desk, wrote a little note to the paymaster, handed it to my boy, and he went out.

She resumed the conversation saying: "Yes, you can get it if you will attach the great wheel and stop the mill."

Now that was a proceeding that I had never heard of. I said laughingly: —

"That would be a great thing to do for so little, don't you think so?"

"Well," said she, "they ought to pay me, and I will have my pay."

"Well," I said, "you come back here in the course of an hour, and I will see what I can do for you."

Meanwhile the boy had returned with information of the amount that was due her, and that they would reserve it for me. Then, when my black-eyed friend came in, I said: "Well, I have got your money and made a receipt for it, and here it is."

She said: "I knew you would if you would attach the great wheel. How much am I to pay you?"

"Oh," I said, "nothing. I will look for my pay to the other side. You can go to Vermont to-morrow morning, if you wish to."

She did go, and frequently told the story that I did attach the great wheel, which was a thing that could not be done by any legal legerdemain whatever, because the great wheel is a part of the real estate, and real estate can only be attached in Massachusetts by filing a paper in the county clerk's office. But the story has been going the rounds ever since.

I purposely omit all professional matters at present pending or lately decided, because I think it my duty not to use this means of dealing with professional subjects to the annoyance of living men or to the prejudice of matters now in the course of decision. It will be time enough to deal with such subjects when they are in a condition to be a matter of history.

# L'ENVOI

## TO THE READER.

### SUMMARY.

MUCH has been said and written as to my failure to do anything in my military capacity for the country, or to be of any service to it in any form. I hope I may be pardoned in bringing together for the purpose of recalling to memory, several things which are proven in this narrative to whomsoever shall carefully read it, which have been done by me, although I am supposed to have needed a "technical military education."

With foresight and persistent effort I caused the Massachusetts Volunteer Militia to be so made ready that they were the first organized armed force marched into Washington for its defence.

I seized Annapolis, one capital of Maryland, and held it, and thus opened and held open a way for the transportation of Northern troops to the capital, which insured its safety.

I occupied and fortified the heights at the Relay House, and so prevented an assault upon Washington from Harper's Ferry, which the rebels had captured and were occupying for that purpose.

From thence I made a descent upon Baltimore and established it a Union city, which it always remained. These movements prevented the secession of Maryland, and held her loyal during the war.

At Fort Monroe I first declared the legal principles by which, under military law, slaves could be set free, and thereby made the President's proclamation of emancipation possible.

Within forty-five days after the fall of Sumter, without orders from anybody having a "technical military education," of my own motion,

I seized and strongly fortified the important strategic point of Newport News, at the mouth of the James River, which was held during the war, thus keeping open a water-way for the transportation of troops and supplies to the intrenchments around Richmond, and by which the Army of the Potomac under McClellan escaped from Harrison's Landing.

In co-operation with the navy I captured Fort Hatteras and Fort Clark, thus making the holding of the sounds of Virginia and North and South Carolina practicable.

I raised a division of more than six thousand men for the United States without payment of bounties or impressment. With the division thus raised, aided by an equal number of troops added to that force, co-operating with the fleet of the immortal Farragut to his entire satisfaction, we opened the Mississippi River, captured New Orleans, subdued Louisiana, and held all of it that was ever afterwards permanently held as a part of the United States. I enforced respect there to the nation's flag, its laws and power.

By proper sanitary regulations I rescued New Orleans, the commercial port of the Gulf of Mexico, from its most potent danger, the yellow fever, from the ravages of which in no year had it ever escaped, a foe which the enemies of my country surely relied upon to destroy my army, as it would have done if uncontrolled.

I enlisted there the first colored troops ever legally mustered into the army of the United States, thus inaugurating the policy of arming the colored race before Congress or the President had adopted it, by so doing, pointing the way to the recruitment of the armies of the United States by the enlistment of colored men to the number of one hundred and fifty thousand, and establishing the negro soldier as a component part of the military resources of the country forever.

In the spring of 1864 I devised, organized, and perfected the strategy for a campaign against Richmond by having an impregnable intrenched camp containing thirty square miles of territory within its boundaries, which could be held by ten thousand men against the whole rebel forces forever, within eight miles of the rebel capital, like a hand upon its throat never to be unclenched, as it never was. I fortified it as a refuge to which the Army of the Potomac could repair in safety as a base of supplies, as it did when it failed to drive Lee's army in retreat to the defences of Rich-

mond. I took possession of this camp to be intrenched by a march wholly of my planning and execution, by moving more than thirty thousand men, with their artillery supplies and munitions of war, by water seventy-five miles through the enemy's country in a single day without the loss of a man, and without any knowledge on the part of the rebels of my presence until I was in camp.

From that intrenched camp at Bermuda Hundred, on the 15th of July, I captured Petersburg, but lost it through the sloth or incompetency of a corps commander who had a "technical military education."

With the Army of the James on the 29th of September, I captured Fort Harrison and a line of intrenched works, a strong part of the defences of Richmond, which were held by my colored troops until Richmond was evacuated.

I planned, carried out, and constructed the great strategic work, Dutch Gap Canal, which was prevented from being made entirely efficient only by a naval officer, who was afterward convicted for cowardice in that matter, and which remains to this day a most valuable public work, worth more as a commercial avenue in time of peace than all it cost as a military undertaking.

By firmness of purpose which subsequent events have shown to have been the best military judgment, as I knew it was then, I prevented my major-general of division from making an assault on Fort Fisher by which very many of the troops of the expedition would have been slaughtered in a useless attack.

*In all military movements I never met with disaster, nor uselessly sacrificed the lives of my men.*

In all I did and in all I left undone I never had over twenty-five thousand effective troops under my command for offensive operations, but usually commanded much smaller forces.

If any of my readers doubt upon any one of these propositions, let them examine carefully the verified record in my narrative. I write in no boastful spirit, claiming only justice and fair play. If any general officer with the same means did more in the war for the life of the nation, I congratulate him most heartily, but I would like to see his list.

In my congressional career my proudest boast is that through my advocacy and efforts, the legal tender greenback was made

the constitutional money of the United States, to be issued in peace or in war, during the existence of the nation; and I believe soon it will be the only money of the United States, gold and silver taking their appropriate places as products of the mineral resources of the country.

In closing I apologize most humbly for the many omissions and imperfections of my work, and I claim for it but one merit: it has been earnestly and fairly done.

"What is writ, is writ, —
Would it were worthier ! but I am not now
That which I have been, and my visions flit
Less palpably before me, — and the glow
Which in my spirit dwelt, is fluttering, faint and low."



# APPENDIX.

# APPENDIX.

[**No. 1.** *See page* 585.]

To Major-General Butler: Washington, Nov. 13, 1863.

There is an urgent necessity to provide in your department a suitable depot for rebel prisoners of war, without any delay. I beg to recall the subject to your attention and ask you to take immediate measures to establish a depot at such point as you may deem suitable in your department, and inform me how soon you will be ready to receive prisoners of war, and in what numbers.

Edwin M. Stanton,
*Secretary of War.*

To Major-General Butler: Washington, Nov. 16, 1863.

Your report in regard to place for confinement of rebel prisoners has been received, and on consultation with the general-in-chief, it is believed to be inexpedient to select either Sewall's Front or Hatteras for the present. Therefore, all action in the matter is suspended.

Edwin M. Stanton,
*Secretary of War.*

[**No. 2.** *See page* 586.]

Headquarters Department of Virginia and North Carolina,
Fortress Monroe, Nov. 18, 1863.

Hon. E. M. Stanton, Secretary of War:

*Sir:*— In the limits of a telegram, and for the public eye, it was impossible to explain my full thought on the subject of exchange of prisoners. I believed there was some misunderstanding upon the questions involved when I telegraphed, and your answer, with the sentiments of which in every word I concur, convince me that I was right in my belief.

No one will go farther in exerting every power of the government in protecting the colored troops and their officers, than myself. And if that is the question which prevents exchange, and we stand before the country upon that question, I have not a word further to urge. But I fear that is not the point, or at least it is not now understood by the country, that it is upon the pledge of the country's honor that all men, white or black, who fight for us, shall be protected, that we now feel obliged to let our fellow-soldiers starve, if such shall be the inhumanity of the rebels.

I ought to premise, perhaps, why I interfere where it is not specially within my command. Believing that I could do something for the good

of the service, I take the liberty of making the application, and with your leave shall continue to make suggestions wherever and whenever I think the government may be aided by so doing, although not strictly called upon so to do, to complete my routine of duty.

I am informed and believe that the rebel authorities will exchange every officer and soldier they now hold in custody, whether colored or not, upon receiving an equivalent number in rank from us.

Indeed, I can put no other interpretation upon the letter of Robert Ould, Esq., agent of exchange in Richmond, of October 20, referring to a letter of a previous date, in which he says: — "More than a month ago I asked your acquiescence in a proposition that all officers and soldiers, on both sides, should be released in conformity with the provisions of the cartel. In order to obviate the difficulties between us, I suggested that all officers and men, on both sides, should be released, unless they were subject to charges, in which event the opposite government should have the right of holding one or more hostages if the retention was not justified. You stated to me, in conversation, that this proposition was very fair, and that you would ask the consent of your government to it. As usual, you have as yet made no response. I tell you frankly, I do not expect any. Perhaps you may disappoint me, and tell me that you reject or accept the proposition. I write this letter for the purpose of bringing to your recollection my proposition, and of dissipating the idea that seems to have been purposely encouraged by your public papers, that the Confederate government has refused or objected to a system of exchange.

"In order to avoid any mistake in that direction, I now propose that all officers and men, on both sides, be released in conformity with the provisions of the cartel, the excess on one side or the other to be on parole. Will you accept this? I have no expectation of an answer, but perhaps you may give one. If it does come, I hope it will be soon."

I have forwarded copies of all the correspondence, so that you can refer to it. If there is any interpretation to the contrary, it is not made apparent to the country; and the government, for all that appears from the correspondence between the two commissioners, is now suffering our soldiers to be starved to death upon the proposition of inequality in the computation and value of paroles. If you will examine the correspondence, it will be seen that the whole question turns upon that point; not a suggestion is made that color, caste, or condition has anything to do with the dispute. It would seem that the discussion had grown sufficiently acrimonious to have lost sight of the point of dispute, as we know many discussions do.

I do not mean to impute blame to any party, because I am not sufficiently informed, nor have I the authority so to do, but simply to suggest a remedy. I assume that we have, in actual custody, some twenty-six thousand prisoners, against thirteen thousand that the rebels have. Now, then, why may not Ould's proposition be accepted, and we exchange man for man, officer for officer, until the rebels stop? If then every prisoner they hold has been exchanged, then the question of color does not arise, and our men will have been relieved from starvation up to that number. But, if the colored prisoners and their officers shall not be produced by the rebels for

exchange, we shall have ten thousand of their men upon whom to work both retaliation and reprisal to the fullest extent, to wring from the rebels justice to the colored soldiers. It is not necessary to argue this point; its statement is the argument. This action — not offers and correspondence — will place the government right before the country, and if then the negro prisoners, whether civilians or soldiers, or their officers, are kept in prison or maltreated, the world will justify us in reprisal and retaliation to any extent.

I believe that this exchange will be made by the rebels from information derived from various sources, and specially from J. W. Monfort, agent of the State of Indiana, who has gone to Washington, and from whom you can learn the facts that lead to my belief.

Without suggesting any blame upon the part of the agent of exchange, would it not, in fact, seem to be that such a state of feeling has grown up between himself and the rebel agent that, without doing anything which would impute wrong, or detract from the appreciation of the efforts of General Meredith, this might be done as if outside of either agent.

This is submitted for consideration with a single desire, to relieve the soldiers now in a condition to enlist all our sympathies.

I can make these suggestions all the more freely, as I leave this evening to arrange the affairs of this department in North Carolina, and can have probably no personal part in the matter.

I have the honor to be,

Very respectfully, your obedient servant,

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 3.** *See page* 587.]

WAR DEPARTMENT,
WASHINGTON CITY, Dec. 8, 1863.

*General:* — I am directed by the Secretary of War to inform you that your action in regard to supplying vaccine matter for the use of the Union prisoners at Richmond is approved by this department.

Very respectfully, your obedient servant,

JAS. A. HARDIE,
*Assistant Adjutant-General.*

MAJ.-GEN. B. F. BUTLER, *Commanding, etc.*
*Fortress Monroe, Va.*

[**No. 4.** *See page* 596.]

WASHINGTON, 11 P. M., April 14, 1864.

TO MAJOR-GENERAL BUTLER:

Your report respecting negotiations with Commissioner Ould for the exchange of prisoners of war has been referred to me for my orders.

Until examined by me, and my orders therein are received by you, decline all further negotiations.

U. S. GRANT,
*Lieutenant-General.*

[**No. 5.** *See page* 596.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
IN FIELD, CULPEPPER COURT-HOUSE,
VIRGINIA, April 17, 1864.

MAJ.-GEN. B. F. BUTLER,
COMMANDING DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
FORTRESS MONROE, VA.:

*General:* — Your report of negotiations with Mr. Ould, Confederate States agent, touching the exchange of prisoners, has been referred to me by the Secretary of War, with directions to furnish you such instructions on the subject as I may deem proper.

After a careful examination of your report, the only points on which I deem instructions necessary, are: —

1st. Touching the validity of the paroles of the prisoners captured at Vicksburg and Port Hudson.

2d. The status of colored prisoners.

As to the first. No arrangement for the exchange of prisoners will be acceded to that does not fully recognize the validity of these paroles, and provide for the release to us of a sufficient number of prisoners now held by the Confederate authorities to cancel any balance that may be in our favor by virtue of these paroles. Until there is released to us an equal number of officers and men as were captured and paroled at Vicksburg and Port Hudson, not another Confederate prisoner of war will be paroled or exchanged.

As to the second. No distinction whatever will be made in the exchange between white and colored prisoners; the only question being, were they, at the time of their capture, in the military service of the United States. If they were, the same terms as to treatment while prisoners and conditions of release and exchange must be exacted and had, in the case of colored soldiers as in the case of white soldiers.

Non-acquiescence by the Confederate authorities in both or either of these propositions, will be regarded as a refusal on their part to agree to the further exchange of prisoners, and will be so treated by us.

I am, General, very respectfully, your obedient servant,

U. S. GRANT.
*Lieutenant-General.*

[**No. 6.** *See page* 605.]

CITY POINT, Oct. 12, 1864.

TO MAJOR-GENERAL BUTLER:

Your correspondence with Judge Ould on the subject of exchange, and also the affidavits upon which you rely for proof of the unwarrantable conduct of the enemy in employing prisoners of war at work on fortifications, and your letter informing Mr. Ould of the steps taken to retaliate are received and the whole approved. I will forward the whole to the Secretary of War with my approval.

U. S. GRANT,
*Lieutenant-General.*

[**No. 7.** *See page* 605.]

MAJOR-GENERAL BUTLER: CITY POINT, Oct. 15, 1864, 4.20 P. M.

I think it probably advisable, whilst Major Mulford is here, to get the naval prisoners on hand put through the lines. Points of difference may serve a good purpose hereafter.

U. S. GRANT,
*Lieutenant-General.*

[**No. 8.** *See page* 608.]

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
ARMY OF THE JAMES.
IN THE FIELD, VA., Oct. 20, 1864.

General Order No. 134.

It having been officially certified by General Lee, commanding Confederate forces, that the prisoners of war of this army put to work in the trenches near Fort Gilmer have been withdrawn, to be treated as prisoners of war, it is ordered, that the prisoners of war of the Confederate forces put to work in the canal at Dutch Gap, in retaliation, shall be at once withdrawn and sent to Point Lookout, to be held and treated hereafter as prisoners of war.

Numbers of these prisoners having certified in writing to the commanding general their desire to take the oath of allegiance, because of the inhumanity of the Confederate authorities towards them, which application was declined lest it should be said that these prisoners took the oath of allegiance to the United States under duress, it is now ordered, that so many of them as choose, after this order is read to them, be permitted to take the oath of allegiance and be sent north, to be there found employment by the government, as other prisoners of war have been who have returned to their loyalty to the United States.

By command of
MAJOR-GENERAL BUTLER.

[*Official.*]
ED. W. SMITH, *Assistant Adjutant-General.*

[**No. 9.** *See page* 608.]

OFFICE ASSISTANT AGENT FOR EXCHANGE OF PRISONERS,
FORTRESS MONROE, VA., Nov. 6, 1864.

MAJOR-GENERAL BUTLER, COMMISSIONER FOR EXCHANGE, ETC.:

*General:* — I have the honor to inform you that I am still here awaiting transportation for the sick prisoners now on board steamers Atlantic and Baltic and more particularly our own men whom I am to receive in return. It would be worse than barbarous, General, for me to undertake, in the ships now at my disposal, the transportation of those feeble and dying men, now anxiously awaiting my arrival at Savannah and whose sufferings are protracted and aggravated and whose mortality is fearfully increased by this needless delay. My fleet as organized by yourself was indeed a noble one, for a noble purpose; one that would reflect honor upon our government and carry joy and gladness to many thousand anguished hearts. Of that portion still left me, no fault can be found, but the most essential part of this expedition is withheld. I am, by an

order from Washington, to Colonel Webster, chief quartermaster of this department, deprived the use of the only hospital ships in the fleet, and knowing so well as I do, for what a wretched freight I am to provide on my return trip, I feel assured you will approve my course in insisting upon some proper provisions being made for the sick before I sail.

I have now here loaded the steamers Atlantic, Baltic, Northern Light, H. Livingston, and New York, in all some three thousand men; have lost over fifty since their arrival at this place. One other vessel, the Crescent, is loaded with stores, clothing, etc.

I have turned over to the quartermaster, five of the large vessels for transportation of troops. The balance of the fleet are still here. Quartermaster-general informed Colonel Webster he had ordered vessels from New York to relieve the Atlantic and Baltic. They have not arrived yet, nor have we farther advice of them. Please direct me what to do, and believe me,

Very respectfully, your obedient servant,

JOHN E. MULFORD,

*Lieutenant-Colonel and Assistant Agent of Exchange.*

[**No. 10.** *See page* 608.]

NEW YORK, NOV. 8, '64.

COLONEL J. E. MULFORD,

ASSISTANT AGENT OF EXCHANGE, FORTRESS MONROE, VA.:

Start immediately with the Atlantic and Baltic.

It is by order of the Secretary of War.

Do not yield the point to anything but armed force and let General Shepley have sufficient force to meet even that.

B. F. BUTLER,

*Major-General Commanding.*

[**No. 11.** *See page* 609.]

OFFICE ASSISTANT AGENT FOR EXCHANGE OF PRISONERS,
FLAG OF TRUCE STEAMER NEW YORK,
SAVANNAH RIVER, NOV. 21, 1864.

MAJOR-GENERAL BUTLER, COMMISSIONER FOR EXCHANGE:

*General:* — I have the honor to inform you that I have up to the present time received over three thousand of our men. Their physical condition is rather better than I expected, but their personal is worse than anything I have ever seen — filth and rags. It is a great labor to cleanse and clothe them, but I am fairly at work and will progress as rapidly as possible. I have much to say, but have little time for writing now. I have got off two vessels to-day and will try and get off two to-morrow, and so on. Matters have been rather queerly managed here in the mode of conducting truce business. I have nothing whatever to do with the old matters, or the business of this department. Enclosed I send you latest papers and have the honor to be,

Very respectfully, your obedient servant,

JOHN E. MULFORD,

*Lieutenant-Colonel and United States Agent for Exchange of Prisoners.*

[**No. 12.** *See page* 609.]

OFFICE OF THE COMMISSARY-GENERAL OF PRISONERS,
WASHINGTON, D. C., Dec. 16, 1864.

General Order No. 3.

Arrangements having been made between the United States Government and the rebel authorities by which each is to supply its own prisoners of war with necessary supplies, and Brig.-Gen. H. E. Paine, on the part of the Federal Government, and Brig.-Gen. Wm. W. R. Beale, on the part of the rebel authorities, having been appointed agents to carry out these arrangements, every necessary and proper facility for the purpose will be given by the commanding officers of the various military prisoners when request is made or properly authorized by Brigadier-General Paine.

By Order,
H. W. WESSELS,
*Brig.-Gen. U. S. V., Inspt. and Comy. Gen. of Prisoners.*

[**No. 13.** *See page* 611.]

HEADQUARTERS, ETC., NEAR BOTTOM'S BRIDGE, June 12, 1864.

ADJUTANT-GENERAL,
HEADQUARTERS ARMIES OF THE CONFEDERATE STATES:

*Sir:* — Will you please bring to the immediate attention of General Bragg a cause which is producing great discontent among the troops of my command. It appears that to the troops of the Army of Northern Virginia, the ration issued is very much larger than the same given to my troops, although they are doing the same duty. For instance, Kirkland's brigade, Army of Northern Virginia, is guarding the York River Railroad bridge over Chickahominy, and the local troops are performing the same service at Bottom's Bridge; the former receive a half pound of meat, flour bread (at least, in part), rice, pease, sugar, coffee, and vegetables; the local troops get but one-fifth pound of meat, and corn bread. If they receive sugar and coffee (only six pounds of one and three of the other to 100 rations) the meat is stopped. The same exists as to all my command. It very naturally and justly produces discontent. If the rations can be increased for the whole of the Army of Northern Virginia, it seems to me it ought to be done for the troops who are on exactly the same service in this department. I wrote to Colonel Northrop, and he replied that all would be reduced to the same; but nearly a week has passed and the same distinction is made. I trust the general commanding will have proper orders given in the matter.

Very respectfully, your obedient servant,
R. RANSOM, JR.,
*Major-General.*

(First Indorsement.)

June 13, 1864.

Respectfully referred to the Honorable Secretary of War.
Such discrimination must produce discontent and should be corrected.
BRAXTON BRAGG,
*General.*

War Rec., Vol. XXXVI., Part III., page 898.

[**No. 14.** *See page* 619.]

HEADQUARTERS 18TH ARMY CORPS,
DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
FORTRESS MONROE, April 14, 1864.

LIEUT.-GEN. U. S. GRANT, COMMANDING U. S. ARMIES:

*General:* — I have the honor to enclose official copies of the correspondence between General Pickett, commanding Confederate forces, District of North Carolina, and General Peck, commanding United States forces in said district, relative to the execution of certain prisoners belonging to the Second North Carolina Regiment. Many of these men were conscripted by the rebels. All of them were citizens of the United States, who owed their allegiance to our government; if misguided, they forfeited their allegiance, repented, and returned to it again. They have only done their duty, and, in my judgment, are to be protected in so doing. I do not recognize any right in the rebels to execute a United States soldier because either by force or fraud, or by voluntary enlistment even, he has been once brought into their ranks and has escaped therefrom. I suppose all the rights they can claim as belligerents is to execute one of the deserters from their army while he holds simply the character of a deserter during the time he has renounced his allegiance, and before he has again claimed that protection and it has been accorded to him. Therefore by no law of nations, and by no belligerent rights, have the rebels any power over him other than to treat him as a prisoner of war if captured.

I would suggest that the Confederate authorities be called upon to say whether they adopt this act, and that upon their answer such action may be taken as will sustain the dignity of the government, and give a promise to afford protection to its citizens.

I have the honor to be, General, very respectfully, your obedient servant,

BENJ. F. BUTLER,
*Major-General Commanding.*

[Inclosure No 1.]

HEADQUARTERS ARMY AND DISTRICT OF NORTH CAROLINA,
NEW BERNE, N. C., Feb. 11, 1864.

MAJOR-GENERAL PICKETT, DEPARTMENT OF VIRGINIA AND NORTH CAROLINA, CONFEDERATE ARMY, PETERSBURG:

*General:* — I have the honor to enclose a slip cut from the Richmond *Examiner* of Feb. 8, 1864. It is styled "The Advance on New Berne," and appears to have been extracted from the Petersburg *Register*, a paper published in the city where your headquarters are located.

Your attention is particularly invited to that paragraph which states "that Colonel Shaw was shot dead by a negro soldier from the other side of the river which he was spanning with a pontoon bridge, and that the negro was watched and followed, taken, and hanged after the action at Thomasville."

The Petersburg *Register* gives the following additional particulars of the advance on New Berne: —

Our army, according to the report of passengers arriving from Weldon, has fallen back to a point sixteen miles west of New Berne. The reason

assigned for this retrograde movement was that New Berne could not be taken by us without a loss on our part which would find no equivalent in its capture, as the place was stronger than we anticipated. Yet in spite of all this, we are sure the expedition will result in good to our cause. Our forces are now in a situation to get large supplies from a country still abundant; to prevent raids on points westward, and keep tories in check and hang them when caught.

From a private, who was one of the guard that brought the batch of prisoners through, we learn that Colonel Shaw was shot dead by a negro soldier from the other side of the river which he was spanning with a pontoon bridge. The negro was watched, followed, taken, and hanged after the action at Thomasville. It is stated that when our troops entered Thomasville a number of the enemy took shelter in the houses and fired upon them. The Yankees were ordered to surrender but refused, whereupon our men set fire to the houses, and their occupants got bodily a taste in this world of the flames eternal.

The Government of the United States has wisely seen fit to enlist many thousand colored soldiers to aid in putting down the revolution, and has placed them on the same footing in all respects to our white troops. The orders of the President on that subject are so just, full, and clear, that I inclose a copy for your information: —

EXECUTIVE MANSION,
WASHINGTON, D. C., July 30, 1863.

It is the duty of every government to give protection to its citizens of whatever class, color, or condition, and especially to those who are duly organized as soldiers in the public service. The law of nations and the usages and customs of war, as carried on by civilized powers, permit no distinction as to color in the treatment of prisoners of war as public enemies. To sell or enslave any captured person on account of his color, and for no offence against the laws of war, is a relapse into barbarism and a crime against the civilization of the age.

The Government of the United States will give the same protection to all its soldiers; and if the enemy shall sell or enslave anyone because of his color, the offence shall be punished by retaliation upon the enemy's prisoners in our possession.

It is therefore ordered, that for every soldier of the United States killed in violation of the laws of war, a rebel soldier shall be executed; and for every one enslaved by the enemy, or sold into slavery, a rebel soldier shall be placed at hard labor on the public works and continued at such labor until the other shall be released and receive the treatment due to a prisoner of war.

ABRAHAM LINCOLN.

Believing that this atrocity has been perpetrated without your knowledge, and that you will take prompt steps to disavow this violation of the usages of war, and to bring the offenders to justice, I shall refrain from executing a rebel soldier until I learn your action in the premises.

I am, very respectfully, your obedient servant,

JOHN J. PECK,
*Major-General.*

[Inclosure No. 2.]

HEADQUARTERS ARMY AND DISTRICT OF NORTH CAROLINA,
NEW BERNE, N. C., Feb. 13, 1864.

MAJOR-GENERAL PICKETT, DEPARTMENT OF VIRGINIA AND NORTH CAROLINA, CONFEDERATE ARMY:

*General:*— I have the honor to enclose a list of fifty-three soldiers of the U. S. Government who are supposed to have fallen into your hands on your late hasty retreat from before New Berne. They are loyal and true North Carolinians, and duly enlisted in the Second North Carolina Infantry. I ask for them the same treatment in all respects as you will mete out to other prisoners of war.

I am, very respectfully, your obedient servant,

JOHN J. PECK,
*Major-General.*

[Inclosure No. 3.]

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
PETERSBURG, VA., Feb. 16, 1864.

MAJ.-GEN. JOHN J. PECK, U. S. ARMY, COMMANDING AT NEW BERNE:

*General*:—Your communication of the 11th of February is received. I have the honor to state in reply that the paragraph from a newspaper enclosed therein is not only without foundation in fact, but so ridiculous that I should scarcely have supposed it worthy of consideration; but I would respectfully inform you that *had I caught any negro* who had killed officer, soldier, or citizen of the Confederate States, I should have caused him to be immediately executed.

To your threat expressed in the following extract from your communication, viz.: "Believing that this atrocity has been perpetrated without your knowledge, and that you will take prompt steps to disavow this violation of the usages of war and to bring the offenders to justice, I shall refrain from executing a rebel soldier until I learn your action in the premises," I have merely to say that I have in my hands and subject to my orders, captured in the recent operations in this department, some 450 officers and men of the U. S. Army, and for every man you hang I will hang ten of the U. S. Army.

I am, General, very respectfully, your obedient servant,

G. E. PICKETT,
*Major-General Commanding.*

[**No. 15.** *See page* 619.]

YORKTOWN, Feb. 4, 1864.

*General:*— Accept my grateful and sincere thanks for your letter of to-day, just arrived by despatch boat, and for all your manifold kindness and consideration ever since I happily came a second time under your command. . . .

At 2 A. M. on the 7th, we make the attempt to surprise Bottom's Bridge, with the hope of striking Richmond at 5 A. M. following.

If the principal cavalry officers are *brave*, the thing must succeed.

With renewed and heartfelt thanks for your uniform kindness, and not the least of them — this opportunity given me — permit me to call myself,

Your sincere and attached friend,

I. J. WISTAR.

P. S. — On Sunday morning, at five o'clock, pray for our country and for me.

I. J. W.

[**No. 16.** *See page* 619.]

GENERAL WISTAR'S REPORT OF OPERATION.

YORKTOWN, Feb. 9, 1864.

*Major:* — I have the honor to report the following operations of the forces under my command, undertaken with a view to the surprise and capture of Richmond, and incidental results:

All the infantry and cavalry placed at my disposal by the general commanding, being about four thousand of the former and two thousand two hundred of the latter, were suddenly concentrated behind my lines at Williamsburg after dark on the evening of the 5th instant, together with Hunt's and Belger's light batteries.

The infantry, consisting of three white regiments, brigaded under Col. R. M. West, First Pennsylvania Light Artillery, and three colored regiments under Colonel Duncan, Fourth U. S. Colored Troops, moved thence at 9 A. M. on the 6th, carrying on the person six days' rations in the knapsack and seventy rounds of cartridges — forty in the boxes and thirty in the knapsack.

The cavalry, being detachments of five regiments under Col. S. P. Spear, Eleventh Pennsylvania Cavalry, moved two hours later. Colonel Spear was directed to arrive at Bottom's Bridge, twelve miles this side of Richmond, by 3 A. M. of the 7th, surprise it, and move on rapidly to Richmond. A picked company under Captain Hill, First New York Mounted Rifles, with selected horses, was placed in advance to ride down the three pickets — at New Kent, Baltimore Cross-Roads, and at the bridge. Arrangements had been previously made to have the telegraph wire between Meadow Station and Richmond cut between dark and midnight of the 6th. By these means it was hoped to surprise the enemy's Battery No. 2, on the Bottom's Bridge road near Richmond, and occupy Capitol Square in that city for at least two or three hours; detachments previously detailed and carefully instructed breaking successively from the main column, on entering, for various specific purposes. Of course the success of the enterprise was based upon the sudden and noiseless surprise of the strong picket at Bottom's Bridge, without which it would be impossible for cavalry alone to pass Battery No. 2. Colonel Spear reached Bottom's Bridge, a distance of fifty-one miles, ten minutes before the time designated, but found the enemy there in strong force, with infantry, cavalry, and artillery. They had received notice some sixteen hours previously, and had during that time been vigorously making preparations. The bridge planks had been taken up, the fords both above and below effectually obstructed, extensive earthworks and rifle-pits con-

structed, and a strong force of troops brought down by the York River Railroad, by which large accessions were still arriving.

The darkness prevented an attack till morning, when a detachment of the New York Mounted Rifles, under Major Wheelan, made a gallant but unsuccessful charge on the bridge by the only approach — a long causeway flanked on either hand by an impassable marsh. The enemy opened with canister, first checking and then repulsing the charge, with a loss to us of nine killed and wounded and ten horses killed. All our men were subsequently brought off, as well as the saddles and equipments. The river was reconnoitred both above and below for some miles, but at every possible crossing the enemy was found in force with newly placed obstructions.

Our infantry had marched, on the 6th, thirty-three miles, arriving at New Kent Court-House at 2 A. M. on the 7th.

It is the obvious fact that a small force in this vicinity, actively handled, can and should hold a much superior force of the enemy in the immediate vicinity of Richmond inactive except for its defence.

I have the honor to be, Major, with great respect, your obedient servant,

ISAAC J. WISTAR,
*Brigadier-General Commanding.*

MAJ. R. S. DAVIS, *Assistant Adjutant-General.*

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
FORTRESS MONROE, Feb. 12, 1864.

Report approved.

The operation was skilfully and brilliantly done. It gives the commanding general renewed confidence in General Wistar as a commander of a division.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 17.** *See page* 636.]

CULPEPPER COURT-HOUSE, VA.,
April 8, 1864–8.30 P. M. (Received 9.30 P. M.)

MAJOR-GENERAL HALLECK:

It is the intention to operate up the James River as far as City Point, and all the co-operation the navy can give, we want. Two of the iron-clads are wanted as soon as they can be got. . . .

U. S. GRANT,
*Lieutenant-General Commanding.*[1]

CULPEPPER COURT-HOUSE, VA., April 9, 1864.

MAJ.-GEN. G. G. MEADE,
COMMANDING ARMY OF THE POTOMAC:

Gillmore will join Butler with about ten thousand men from South Carolina. Butler can reduce his garrison so as to take twenty-three thousand men into the field directly to his front. The force will be commanded by Maj.-Gen. W. F. Smith. With Smith and Gillmore, Butler will seize

[1] War Records, Vol. XXXIII., p. 821.

City Point and operate against Richmond from the south side of the river. His movement will be simultaneous with yours.

Lee's army will be your objective point. Wherever Lee goes, there you will go also. The only point upon which I am now in doubt is whether it will be better to cross the Rapidan above or below him. Each plan presents great advantages over the other, with corresponding objections. By crossing above, Lee is cut off from all chance of ignoring Richmond and going north on a raid; but if we take this route all we do must be done while the rations we start with hold out; we separate from Butler, so that he cannot be directed how to co-operate. By the other route, Brandy Station can be used as a base of supplies until another is secured on the York or James Rivers. . . .

Should by Lee's right flank be our route, you will want to make arrangements for having supplies of all sorts promptly forwarded to White House, on the Pamunkey. Your estimates for this contingency should be made at once. If not wanted there, there is every probability they will be wanted on the James River or elsewhere.

If Lee's left is turned, large provision will have to be made for ordnance stores. I would say not much short of five hundred rounds of infantry ammunition would do. By the other, half the amount would be sufficient.

U. S. Grant,
*Lieutenant-General.*[1]

[**No. 18.** *See page* 637.]

[*Unofficial.*]

Headquarters 18th Army Corps,
Dept. of Virginia and North Carolina.
Fortress Monroe, April 15, 1864.

*My Dear General:* — You dealt so kindly with the suggestions as to the movements which I desired should be made from Fortress Monroe up the James and upon Richmond, and showed so much consideration for the views I ventured to express, that it has occurred to me possibly you might, in some slight degree, have bent your plan of campaign to meet those views and wishes, although, perhaps the inclination of your more matured judgment would lead you to prefer a movement through North Carolina, of which you at first spoke to me.

Specially has this thought pressed itself upon my mind since I have been called upon to furnish transportation for two millions and a half of rations to North Carolina, which inclines me to believe that a movement is intended in that direction.

If this be so, as I have a very strong opinion that but one co-operative movement with the Army of the Potomac should be made on the south of the James, and fearing lest a desire to oblige me might possibly in some degree have swayed your judgment, I take leave to say to you that any disposition of the troops under my command will be most agreeable to me, which shall, in your opinion, subserve the public service. So that, if you think it best to have my troops for the North Carolina movement,

[1] War Records, No. I., p. 827.

do not regard in the least degree my supposed wishes or position, as I shall be most happy to co-operate most heartily in any of your movements.

I pray you, General, to take this note in the exact spirit in which it is meant. I believe fully that but one movement (and that the one I indicated) south of the James with all the concentrated forces that can be spared, able to fight Lee in the field if we can get men enough, or if not, as near it as we can, is feasible, and so believing, I do not for a moment desire that any thought of myself or of its effect upon the extent of my command should stand in the way of such concentration wherever it shall be thought best. This, besides being a duty, is at least but a just return for the kind consideration you have shown me.

I have possessed General Smith with my views as well upon the subject of the movement as upon the number of troops which can be spared from my lines for the purpose, and beg to refer you to him for any explanation you may desire. Believe me truly yours,

BENJ. F. BUTLER.

To LIEUT.-GEN. U. S. GRANT, *Com'd'g., etc., etc.*

[**No. 19.** *See page* 637.]

[*Confidential.*] HEADQUARTERS ARMIES IN THE FIELD.
CULPEPPER COURT-HOUSE, VA., April 16, 1864.

MAJOR-GENERAL BUTLER, COMMANDING DEPARTMENT OF VIRGINIA AND NORTH CAROLINA:

*General:*—I have just this moment received your letter of the 15th of April, brought by the hands of Maj.-Gen. W. F. Smith.

You are entirely right in saying there should be but one movement made south of James River. At no time has more been intended.

I went to Fortress Monroe for the express purpose of seeing you, and telling you that it was my plan to have the force under you act directly in concert with the Army of the Potomac, and as far as possible towards the same point. My mind was entirely made up what instructions to give, and I was very much pleased to find that your previously conceived views exactly coincided.

All the forces that can be taken from the coast have been ordered to report to you at Fortress Monroe by the 18th inst., or as soon thereafter as possible. What I ask is that with them and all you can concentrate from your own command, you seize upon City Point and act from there, looking upon Richmond as your objective point. If you can send cavalry to Hicksford and cut the railroad connection at that point, it is a good thing to do. I do not pretend to say how your work is to be done, but simply lay down what, and trust to you, and those under you, for doing it well.

Keep what vessels may be necessary for your operations. No supplies are going to North Carolina except such as may be necessary for the troops there. I presume the call for vessels is in consequence of the preparations ordered for supplying our armies after a new base is established.[1] The Q. M. did not know where they were to go, but that he was

[1] *i. e.* At Bermuda Hundred. Called City Point in General Grant's and General Halleck's despatches.

to have supplies afloat, and supposed they were for North Carolina. I hope this delusion will be kept up both North and South until we do move.

If it should prove possible for you to reach Richmond so as to invest all on the south side of the river and fortify yourself there, I shall have but little fear of the result.

The rains have now continued so long that it will be impossible to move earlier than the 25th, so I will set that date for making your concentration. All men afloat could then be sent up York River as you proposed, to conceal our real design, if you were not then ready to move.

I am, General, very truly, your obedient servant,

U. S. GRANT,
*Lieutenant-General.*

[**No. 20.** *See page* 637.]

HEADQUARTERS ARMIES IN THE FIELD.
CULPEPPER COURT-HOUSE, VA., April 19, 1864.

MAJ.-GEN. B. F. BUTLER, COMMANDING DEPARTMENT OF NORTH CAROLINA AND VIRGINIA:

*General:* — I send Lieutenant-Colonel Dent, of my staff, with this, not with the view of changing any instructions heretofore given, but more particularly to secure full co-operation between your command and that of General Meade. I will, as you understand, expect you to move from Fortress Monroe the same day General Meade starts from here. The exact time I will telegraph as soon as it can be fixed. At present the roads are in such a condition that the time could not be fixed earlier than the 27th inst. You can understand, therefore, you have fully to that date to make your preparations. You also understand, that with the forces here I shall aim to fight Lee between here and Richmond, if he will stand. Should Lee, however, fall back into Richmond, I will follow up, and make a junction with your army on the James River. Could I be certain that you will be able to invest Richmond on the south side, so as to have your left resting on the James above the city, I would form the junction there. Circumstances may make this course advisable anyhow. I would say, therefore, use every exertion to secure footing as far up the south side of the river as you can, and as soon as possible. If you hear of our advancing from that direction, or have reason to judge, from the action of the enemy, that they are looking for danger to that side, attack vigorously, and if you cannot carry the city, at least detain as large a force there as possible.

You will want all the co-operation from the navy that can be got. Confer freely with Admiral Lee upon your plans, that he may make as much preparation as possible.

If it is possible to communicate with you after determining my exact line of march, I will do so. If you can possibly get scouts through to me, do it.

Inform me by return of Colonel Dent your present situation and state of readiness for moving.

Very truly, your obedient servant,

U. S. GRANT,
*Lieutenant-General.*

MEMORANDUM OF INSTRUCTIONS.

Instruct the commanding officer at Plymouth to hold the place at all hazards, unless it is of no importance to hold. Have transports there ready to carry off such troops as it was intended to bring off, and place aboard of them all baggage to be removed with the troops. Instruct the officer in command, the moment the enemy abandon their siege, to put the force previously designed to draw from there aboard, and start with them. If the enemy will continue to hold a force to threaten the place, we can well afford to keep enough to resist them, and make by the bargain. The enemy will unquestionably, however, bring everything to Richmond the moment we begin to move.

When I telegraph we will start, rain or shine we will start, and hope that from all points there will be a responsive move. I have made preparations, or am making them, for a full siege equipment to use if the enemy should fall within the intrenchments at Richmond. Nothing of this kind need be looked after by General Butler further than he expects to require such auxiliaries whilst acting separately. Every effort is being made to draw troops from the Northern States to Washington, so as to have reserves ready if they should be required at any point.

Speak to General Butler particularly about the possibility, and for what I now see, probability, of my making my appearance on the south side of the river.

[**No. 21.** *See page* 638.]

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
[*Confidential.*] FORTRESS MONROE, April 15, 1864.

REAR-ADMIRAL S. P. LEE, COMMANDING, ETC.:

*Admiral:* — As I had the honor to suggest to you in a personal interview in which we had the pleasure of interchanging views upon the subject,— it is intended to land at City Point and above, on the south side of the James River, below a point called Osborn, a force of from thirty to thirty-five thousand men, with the necessary supplies, artillery, and trains. To this purpose it is proposed to use the Appomattox as far up as Port Walthall, as a convenient rendezvous for transports. To move this force will take a fleet of about fifty transports, besides some thirty schooners and barges for landing and other purposes. From this position it is contemplated to move along the south side of the James upon Richmond, in co-operation with General Meade's army.

To effect this landing and keep this position, it is expected that the navy will hold the James from above Farrar's Island, and the Appomattox from above Port Walthall, free from all attacks by rebel water craft, at all hazards, as upon this depends the success, and, indeed, the safety of the expedition. In order to prevent annoyance by the enemy, as well of the transports as the naval vessels, it is proposed to seize and hold Fort Powhatan and Wilson's Wharf, nearly opposite each other on the James, which are supposed to be the only bluffs, or high points below City Point, from which we can be substantially annoyed by the enemy's light artillery or sharpshooters.

It is proposed to start a flying column on board transports, with means of effecting a landing, and seize Wilson's Wharf and Fort Powhatan, and leave an adequate force there to intrench the same; thence proceeding upwards to seize City Point, and commence landing on both sides of the Appomattox, while the navy take and hold Osborn, as indicated above.

The navy will be expected to cover the landings at each of the places indicated, by its guns, and to aid, by a flanking fire, the army in holding its positions until intrenched. As this movement is to be in the nature of a surprise, it will be necessary for the naval vessels to go up with the leading column of army transports with the utmost celerity, so that the several positions indicated may be taken both by the land and naval forces before the enemy can concentrate opposition. The commanding general offers the use of the armed boats of the army, being of very light draft, to precede the naval force, and drag the river for torpedoes or obstructions, as their loss (if so unfortunate) would not be so serious as a loss of more valuable naval vessels with their armament,— to be, if desired, under your orders.

It is required by the commanding general of the army that the joint expedition be ready for this movement at a date not later than the 30th instant.

After the landing is effected, in the ulterior operations as well as before, the army will expect to render all the aid and co-operation in its power to the navy, to enable it to clear the river of water craft and obstructions, and to receive that hearty and genial co-operation from the navy which the commanding general has always had the good fortune to receive from the navy — such as protecting his water transportation and covering his flanks when lying on the rivers,— so that the great objective point, the capture of Richmond, may be the joint enterprise of the united services of the army and navy.

I believe, Admiral, I have answered each of the propositions contained in your note of to-day with as much particularity and distinctness as the subject-matter will admit, and upon which, and every point and part of which I would desire to interchange views with you in person, and to do so will hold myself in readiness to meet you when and where you will honor me with an appointment for that purpose.

I desire specially to call your attention to the question whether you can hold the point at Osborn as against the rebel water craft, as that is vital; or whether I shall make provision to aid you by sinking obstructions in the channel, or such other devices as engineering skill shall suggest.

I have the honor to be, very respectfully, your obedient servant,

BENJ. F. BUTLER,
*Major-General Commanding.*

[*Confidential.*]

FLAG-SHIP MINNESOTA,
NEWPORT NEWS, VA., April 25, 1864.

*General:* — I will thank you to inform me of the extent and character of the joint expedition which you propose to make, showing the exact service which you expect the navy to render, the time when and the

points to which the different military and naval movements are to be made, and the assistance which the army will give the navy in taking and holding the different positions deemed necessary (which should be named), the number and kind of transports requiring convoy and protection, where to and when. In a word, to give me such full and perfect information in writing as will enable the Navy Department fully to understand the nature of the service to be performed, to ascertain its ability to furnish the means needed, and to enable me to make timely professional dispositions.

I send this by Fleet-Captain Barnes, my chief of staff, and solicit an early reply.

I have the honor to be, General, respectfully yours,

S. P. LEE,
*Acting Rear-Admiral, Com'g N. A. Blo'g Squadron.*

To MAJ.-GEN. B. F. BUTLER, *Commanding Dept. of Virginia and North Carolina, Fortress Monroe.*

[**No. 22.** *See page* 638.]

[*Confidential.*]

FLAG-SHIP NORTH ATLANTIC BLOCKADING SQUADRON.
HAMPTON ROADS, VA., April 27, 1864.

Received 8 P. M.

*General :* — I received, late on the night of its date, your confidential communication of the 25th inst., referring to our previous interview, and giving me more fully your views respecting the movement you contemplate, and including the Appomattox to Port Walthall as part of the base of your operations. This plan was, in our interview yesterday with the Assistant Secretary of the Navy, modified in this — that you abandoned the idea of landing troops, or sending your transports, above City Point, on James River.

I have the Onondaga, and I expect also three Monitor iron-clads, and with these I shall be able to co-operate with you as far up James River as their draft and the depth of water will allow them to go; viz: to Trent's Reach, in which there are but eight and one half feet of water. Our iron-clads cannot enter or operate in the Appomattox, but I can co-operate with you in small wooden vessels to Broadway, and, perhaps, as high as Point Rocks, if there are no obstructions in the river, or rifle-pits on the banks to drive the men from their guns on these open deck vessels, or batteries with which such vessels cannot contend. The iron-clads can, barring accidents, average five knots an hour to Harrison's Bar, which is fifty miles above Newport News. They require high water by day to cross that bar. The river at Harrison's Bar, before City Point, in the Appomattox, and from City Point to Farrar's Island, requires to be examined for torpedoes, and if we meet with no resistance, this can be done by day, and in part of a day.

I thankfully accept the offer of your light-drafts to act under my orders in the performance of this important duty. The engineering device of defense by obstructions (the means of making which you kindly propose to provide) above the iron-clads in James River, would mate-

rially aid in preventing the success of attempts to blow them up, and of surprise by torpedo vessels and fire-rafts. The confusion and loss which would inevitably ensue among your numerous transports, crowded in the river, in the event of such an alarm, would be very serious.

I would suggest Trent's Reach, or Dutch Gap, as a good location for such obstructions.

I do not see clearly how such a movement can be made a surprise, as the enemy has a signal corps in operation along James River.

I would respectfully suggest that the occupation of Dutch Gap, which is high and narrow, could be a great advantage to us, and that a body of skirmishers, to land, clear, and picket the bluffs on the left bank, between Eppes' Island and Farrar's Island, would be a very desirable protection to the gunboats against sharpshooters and torpedo operators.

The wooden gunboat force expected is not as large as I have desired; it will, however, I hope, be sufficient to give the convoy required, and assist the iron-clads in covering the landings contemplated.

Be assured, General, that intelligent and hearty co-operation is the first wish of myself, and will be the effort of the officers and men of my command.

I have the honor to be, General,

Very respectfully, your obedient servant,

S. P. Lee,
*Acting Rear-Admiral,*
*Com'd'g North Atlantic Blockading Squadron.*

To Maj.-Gen. Benj. F. Butler, *Com'd'g Dept. Virginia and North Carolina, Fortress Monroe.*

[**No. 23.** *See page* 639.]

Headquarters Armies of the United States,
Culpepper Court-House, Va., April 28, 1864.

Major-General Butler, Commanding Department of Virginia and North Carolina:

*General:* — If no unforeseen accident prevents, I will move from here on Wednesday, the 4th of May. Start your forces the night of the 4th, so as to be as far up James River as you can get by daylight on the morning of the 5th, and push from that time with all your might for the accomplishment of the object before you. Should anything transpire to delay my movement, I will telegraph you.

Acknowledge the receipt of this by telegraph. Everything possible is now being done to accumulate a force in Washington from the Northern States, ready to reinforce any weak point. I will instruct General Halleck to send them to you should the enemy fall behind his fortifications in Richmond. You will therefore keep the headquarters in Washington advised of every move of the enemy, so far as you know them.

I am, General, very respectfully, your obedient servant,

U. S. Grant,
*Lieutenant-General.*

[**No. 24.** *See page* 639.]

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
FORTRESS MONROE, April 20, 1864.

LIEUT.-GEN. U. S. GRANT, COM'D'G ARMIES OF THE U. S.:

*General:* — On Monday evening I received a note from General Gillmore, by hand of General Vogdes, who arrived here with two regiments of troops from Hilton Head. The letter contained the following extracts, which are all that are specially material as to the time when General Gillmore will probably be here: —

"Brigadier-General Vogdes bears this letter, and is directed to report to you to take command of the Tenth Corps as it arrives from time to time. Brigadier-General Terry will follow in a day or two, and will then command the corps until my arrival. General Turner will remain a few days longer still, while I do not propose to leave here, or turn over my command of this department, until all my troops are in motion, and the last regiment ready to embark. Great delay has occurred here in concentrating my scattered forces, but it could not be avoided."

From the tone of his letter and my conversation with General Vogdes, I am of opinion that he will not be able to be here, or to even get his troops here, until at least ten days from to-day. I have directed those troops to assemble at Gloucester Point, opposite Yorktown, under the immediate command of General Vogdes, assigning General Smith to the Camp of Instruction at Yorktown, and the command of the troops on both sides of the river.

I have information upon which I most implicitly rely, that the enemy have three iron-clads done near Richmond. One, I am informed, but of that I am not certain, is up the Appomattox River. I shall take measures to make certain that fact. Neither of the iron-clads to be furnished by the navy have yet reported, nor do I believe they will be here for some time. I have some two thousand of my cavalry dismounted for want of horses, although the requisitions have been in a long time, and I have forwarded my officers for the purpose of inspecting them. General Halleck telegraphs me that you will decide whether I shall be filled up, or the other armies, and as you know my needs, I am very well content to abide by your decision. I have no further news from Plymouth in addition to my telegram, save the report of Captain Flusser, the naval commander there, to Admiral Lee, "that he needed no reinforcements, but was confident of success against" the rebel ram.

I have the honor to be, very respectfully, your obedient servant,

BENJ. F. BUTLER,
*Major-General Commanding.*

[*Cipher.*] [**No. 25.** *See page* 639.]

*By Telegraph from* CULPEPPER COURT-HOUSE, 10 A. M., May 1, 1864.

MAJOR-GENERAL BUTLER, COMMANDING:

Have any more iron-clads reached you? Has General Gillmore arrived?

U. S. GRANT,
*Lieutenant-General.*

[*Cipher.*] FORTRESS MONROE, Sunday. 12 M., May 1, 1864.

LIEUT.-GEN. U. S. GRANT:

One iron-clad has arrived; two more due. Four gunboats due besides. General Gillmore not yet arrived.

BENJ. F. BUTLER,
*Major-General Commanding.*

[*Cipher.*] *By Telegraph from* CULPEPPER, 10 P. M., May 2, 1864.

MAJOR-GENERAL BUTLER:

Start on the date given in my letter. There will be no delay with this army. Answer, that I may know this is received, and understood as regards date.

U. S. GRANT,
*Lieutenant-General.*

FORTRESS MONROE, VA., May 3, 1864.

LIEUTENANT-GENERAL GRANT, COMMANDING ARMIES U. S.:

Your telegram is received this morning. General Gillmore has just arrived, but has not yet landed. We understand the order to be on Wednesday, the 4th, at 8 o'clock P. M., and it will be obeyed.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 26.** *See page* 639.]

*By Telegraph from* YORKTOWN, Midnight, May 4, 1864.

MAJOR-GENERAL BUTLER:

Two divisions have started. The miserable conveniences for embarking troops have been a cause of great delay. No greater speed could have been made under the circumstances.

Q. A. GILLMORE,
*Major-General.*

[**No. 27.** *See page* 642.]

FORTRESS MONROE, VA., May 4, 1864.

MAJOR-GENERAL GILLMORE, GLOUCESTER POINT:

Having waited for your army corps from Port Royal. I am not a little surprised at waiting for you here.

Push everything forward.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 28.** *See page* 642.]

OFF CITY POINT, Thursday Eve., May 5, 9 o'clock.

LIEUTENANT-GENERAL GRANT, COMMANDING, ETC., WASHINGTON:

We have seized Wilson's Wharf, landing a brigade of Wild's colored troops there; Fort Powhatan, landing two regiments of same brigade. Have landed at City Point Hincks' division of colored troops, remaining brigades and battery.

Remainder of both Eighteenth and Tenth Army Corps are now being landed at Bermuda Hundred, above the Appomattox. No opposition thus far,— apparently a complete surprise. Both army corps left York-

town during last night. Monitors all over the bar at Harrison's Landing and above City Point. The operations of the fleet have been conducted to-day with energy and success.

Generals Smith and Gillmore are pushing the landing of their men.

General Graham, with the army gunboats, led the advance during the night, capturing the signal stations of the rebels. Colonel West, with eighteen hundred cavalry, made demonstration from Williamsburg yesterday morning. General Kautz left Suffolk this morning with three thousand cavalry for the service indicated in conference with the lieutenant-general.[1] The "New York" flag of truce boat was found lying at the wharf, with four hundred rebel prisoners which she had not time to deliver. She went up yesterday morning. We are landing the troops during the night; a hazardous service in face of the enemy.

BENJ. F. BUTLER,
*Major-General Commanding.*

HEADQUARTERS DEPT. OF VIRGINIA AND NORTH CAROLINA,
NEAR CITY POINT, VA., May 6, 1864.

LIEUTENANT-GENERAL GRANT, COMMANDING ARMIES U. S.:

In continuation of my telegram of yesterday, I have to report that we have not been disturbed during the night; that all our troops are landed; that we have taken the positions which were indicated to the commanding general at our last conference, and are carrying out that plan.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 29.** *See page* 643.]

*By Telegraph from* WASHINGTON, D. C., May 7, 1864.

MAJOR-GENERAL BUTLER:

No communication from General Grant has been received since the date of my telegram last night, nor any reliable information, except that a severe engagement took place yesterday without any decisive result. Various conflicting reports are in circulation of success and disaster on both sides, but they are mere conjectures or inventions.

. . . . . .

EDWIN M. STANTON.

HEADQUARTERS, BERMUDA LANDING, May 7, 1864.

MAJOR-GENERAL GILLMORE, COMMANDING TENTH ARMY CORPS:

*General:*—I send you a copy of despatch just received. It will be necessary to put your line in posture of defence at once. Your rations will be along in time. I took your teams for the purpose of sending along your shovels. Work first, eat afterwards.

I presume the reasons for not making the demonstration ordered were perfectly satisfactory to you. I trust they will be to me when I see them.[2]

The navy have been shelling out some pickets on the other side of the river.

BENJ. F. BUTLER,
*Major-General Commanding.*

[1] Cutting the railroad at Hicksford and destroying the bridges.
[2] Those reasons were never communicated to me.

HEADQUARTERS BERMUDA LANDING, May 7, 1864.

MAJOR-GENERAL SMITH, COMMANDING EIGHTEENTH ARMY CORPS:

*General:* — I send you a copy of a despatch just received from Washington. No bad news there. But hurry up your defences anyhow. Let there be every diligence in putting your line in posture of defence.

. . . . . .

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 30.** *See page* 643.]

HEADQUARTERS, May 7, 1864.

MAJOR-GENERAL SMITH, COMMANDING EIGHTEENTH ARMY CORPS:

I have ordered one brigade from each division of General Gillmore's command to report to you at eight o'clock this morning, for the purpose of cutting the enemy's line of communication between Richmond and Petersburg.

You will cause a like force to be detailed from your command on the line, and under such division commanders as you choose, cause attack to be made.

BENJ. F. BUTLER,
*Major-General Commanding.*

HEADQUARTERS, May 7, 1864.

MAJOR-GENERAL GILLMORE, COMMANDING TENTH ARMY CORPS:

You will cause one brigade of each division of your command to report to General Smith at eight o'clock this morning, for the purposes of an attack upon the line of railroad.

The detail should be of your best troops, and under your best brigade commanders. Answer hour of execution of this order.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 31.** *See page* 643.]

HEADQUARTERS BERMUDA LANDING, May 7, 1864.

Maj.-Gen. W. F. Smith, commanding Eighteenth Army Corps, is directed to take command of the detached forces from the Tenth and Eighteenth Army Corps, now operating towards Petersburg and Richmond, on the railroad.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 32.** *See page* 643.]

[*Telegram.— Cipher.*]

HEADQUARTERS BERMUDA LANDING, May 7, 1864.

HON. E. M. STANTON, SECRETARY OF WAR:

We have made demonstrations to-day on the railroad between Petersburg and Richmond, and have succeeded in destroying a portion of it, so as to break the connection. We have had pretty severe fighting to do, but have succeeded. We hear, from a rebel deserter, and a citizen, that

Lee is dangerously wounded; Pickett also; Jones and Jenkins killed. We have no news from General Grant. If he has been in any degree successful there, can we not have here ten thousand of the reserves? They can be here in three days after the lieutenant-general gives the order. Transportation is at Annapolis for them. If the Army of the Potomac is unsuccessful, then we want them here for the safety of the country. Please send them forward. Beauregard is in command in person. In three days our line will be perfect. We have to strongly garrison the point on the river to save our transportation, which weakens us a good deal for a movable column. All is submitted to your judgment.

BENJ. F. BUTLER,
*Major-General Commanding.*

[*Cipher.*] *By Telegraph from* WASHINGTON, May 8, 4.30.

MAJOR-GENERAL BUTLER:

Your despatch of the 7th has just reached me. We have, as yet, no official reports from Grant. Nothing is known of his condition except from newspaper reports, which represent two days' hard fighting on Thursday and Friday; from six to eight thousand wounded are sent back, and Ingalls telegraphs yesterday at noon to General Meigs that "It is said the enemy are retiring." In respect to the reserves mentioned in your telegram, there are none now at the disposal of the department. General Grant has with him all the troops, and you will have to depend only upon such as may have been provided in your programme with him. Your despatch will be forwarded to him, to apprise him of your condition and for his instructions. Your success thus far is extremely gratifying to the President and this department, and we hope your skill and good luck may accomplish all your wishes.

E. M. STANTON,
*Secretary of War.*

[**No. 33.** *See page* 644.]

[*Confidential.*] HEADQUARTERS BERMUDA LANDING, May 7, 1864.

HON. HENRY WILSON:

*My Dear Sir:* — I must take the responsibility of asking you to bring before the Senate at once the name of General Gillmore, and have his name rejected by your body. General Gillmore may be a very good engineer officer, but he is wholly useless in the movement of troops. He has been behind in every movement. He has lost twenty-four hours here in putting his line in a state of defence; but, above all, he has refused to move when ordered. I directed him to co-operate with General Smith when he went to make demonstrations on the Petersburg Railroad, and he failed to do so, and then sent me word that he did not obey the order for reasons that seemed good to himself, and has not deigned to give me the reasons, although he has sent me a report of his operations, or rather want of operations. I have known General Gillmore only since he came here, but I find many of his troops are desirous of getting away from him. I have a good corps commander here in his place. I write only for the good of the service. We have made demon-

strations to-day on the railroad, cut it, and are about to destroy it permanently. If we can hold on here we can drive Lee out of Virginia. His great line of supplies and operations is gone. We have been eminently successful thus far. If you desire to know exactly where we are, take a map, look up Point of Rocks on the Appomattox, then look across to Farrar's Island on the James. That is our line, directly on the rebel communications. We are intrenching here; will then advance from this base. Telegraph your action; time is important.

BENJ. F. BUTLER.

[**No. 34.** *See page* 645.]

HEADQUARTERS IN THE FIELD, May 9, 6.35 P. M.

GENERAL HINCKS:

Upon consultation, it is thought best that you should not advance beyond your picket line before 7 o'clock, so that all the force may be drawn to the advance of General Smith. When you hear his guns and have word from him, engage the enemy and push on.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 35.** *See page* 646.]

WAR DEPARTMENT, 3.20 P. M., 9th May.

MAJOR-GENERAL BUTLER:

A bearer of despatches from General Meade has just reached here by way of Fredericksburg.

States that on Friday night Lee's army were in full retreat for Richmond, Grant pursuing with his army. Hancock passed Spottsylvania C. H., before daylight yesterday morning. Meade's headquarters were yesterday at Ladd's Tavern. We occupy Fredericksburg. Twenty-Second New York occupied it about 8 o'clock last night.

EDWIN M. STANTON,
*Secretary of War.*

[**No. 36.** *See page* 646.]

[*Telegram.—Cipher.*] WASHINGTON, D. C., May 9, 4 P. M.

MAJOR-GENERAL BUTLER:

A despatch from Grant has just been received. He is on the march with his whole force; army to form a junction with you, *but had not determined his route.* Another despatch from him is being translated.

E. M. STANTON,
*Secretary of War.*

[**No. 37.** *See page* 646.]

*By Telegraph from* WASHINGTON, D. C., May 9, 1864.

MAJOR-GENERAL BUTLER:

Advices from the front give reason to believe that General Grant's operations will prove a great success and complete victory.

On Saturday night the enemy had been driven at all points, and Hancock was pushing forward rapidly to Spottsylvania Court-House, where

heavy firing was heard yesterday. It was reported yesterday by a deserter, that the enemy's only hope was in heavy reinforcements from Beauregard.

EDWIN M. STANTON,
*Secretary of War.*

[**No. 38.** *See page* 646.]

HEADQUARTERS NEAR BERMUDA LANDING, May 9, 1864.

HON. E. M. STANTON, SECRETARY OF WAR:

Our operations may be summed up in a few words. With seventeen hundred cavalry we have advanced up the peninsula, forced the Chickahominy, and have safely brought them to our present position. These were colored cavalry, and are now holding our advance pickets toward Richmond.

General Kautz, with three thousand cavalry from Suffolk, on the same day with our movement up James River, forced the Blackwater, burned the railroad bridge at Stony Creek, below Petersburg, cutting in two Beauregard's force at that point.

We have landed here, intrenched ourselves, destroyed many miles of railroad, and got a position which, with proper supplies, we can hold out against the whole of Lee's army. I have ordered up the supplies.

Beauregard, with a large portion of his force, was left South by the cutting of the railroads by Kautz. That portion which reached Petersburg, under Hill, we have whipped to-day, killing and wounding many, and taking many prisoners, after a severe and well-contested fight.

General Grant will not be troubled with any further reinforcements to Lee from Beauregard's force.

BENJ. F. BUTLER,
*Major-General.*

[**No. 39.** *See page* 647.]

*By Telegram from* FORTRESS MONROE, May 9, 1864.

MAJOR R. S. DAVIS, A. A. G., BERMUDA HUNDRED:

Attack on New Berne. After two days' fighting the enemy retired. Captain Smith, U. S. N., attacked the ram, and drove her up Roanoke River. Was unable to sink her or roll her over.

HENRY T. SCHROEDER,
*Lieut. and A. A. A. G.*

[**No. 40.** *See page* 647.]

SWIFT CREEK, 7 P. M., May 9, 1864.

MAJ.-GEN. B. F. BUTLER, COMMANDING DEPARTMENT OF VIRGINIA AND NORTH CAROLINA:

*General:* — We have conferred together upon the problem before us, and respectfully suggest for your consideration, whether it would not be better, and secure to us greater advantages, to withdraw to our lines to-night, destroying all that part of the road this side of Chester Station

which we left to-day, and then cross the Appomattox on a pontoon bridge, that can be thrown across below General Smith's headquarters, and cut all the roads which come into Petersburg on that side. Such a bridge can readily be constructed in one night, and all the work of cutting the road, and, perhaps, capturing the city, can be accomplished in one day, without involving us in heavy losses. If we should remain here and be successful to-morrow, the roads coming into Petersburg on that side will remain intact, with the Appomattox between us and them, and we may even then be forced to adopt the plan we now suggest.

Very respectfully, your obedient servants,

Q. A. Gillmore,
*Maj.-Gen. Com'd'g Tenth Army Corps.*
W. F. Smith,
*Maj.-Gen. Com'd'g Eighteenth Army Corps.*

[**No. 41.** *See page* 648.]

Headquarters Department of Virginia and North Carolina.
Bermuda Hundred, May 9, 1864.

Major-Generals W. F. Smith and Q. A. Gillmore,
Commanding Eighteenth and Tenth Army Corps:

*Generals:*— While I regret an infirmity of purpose which did not permit you to state to me, when I was personally present, the suggestion which you made in your written note, but left me to go to my headquarters under the impression that another and far different purpose was advised by you, I shall not yield to the written suggestions, which imply a change of plan made within thirty minutes after I left you. Military affairs cannot be carried on, in my judgment, with this sort of vacillation.

The information I have received from the Army of the Potomac convinces me that our demonstration should be toward Richmond, and I shall in no way order a crossing of the Appomattox for the purpose suggested in your note. If, as I believe, General Kautz has been successful, the communications of the enemy have been cut so far below Petersburg as to render the Lynchburg and Petersburg Railroad useless as a means of communication with the South, and if the Danville road is to be cut at all, it had better be cut near Richmond on the south side, in conformity with the plan agreed upon between the lieutenant-general and myself. Therefore, as early as possible, consistently with safety, you will withdraw your forces from Swift Creek, attempting, in the first place, to destroy the railroad bridge, and then complete a thorough destruction of the railroad as we return to our position, with the intention of making a subsequent early demonstration up the James from the right of our position. I have written you this note jointly because you have agreed in a joint note to me.

I have the honor to remain, very respectfully, your obedient servant,

Benj. F. Butler,
*Major-General Commanding.*

[**No. 42.** *See page* 648.]

HEADQUARTERS, 9.30 P. M., May 9, 1864.

BRIGADIER-GENERAL HINCKS, COMMANDING, ETC., ETC.:

We have very good news from the Army of the Potomac. This involves change of plan. You will therefore not move on Petersburg. Labor diligently to make all safe at City Point, and go yourself at once to Fort Powhatan to give personal supervision to the work neglected by Colonel Stafford.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 43.** *See page* 648.]

HEADQUARTERS EIGHTEENTH ARMY CORPS, May 10, 1864.

MAJOR-GENERAL BUTLER, COMMANDING DEPARTMENT:

*General:*—I have the honor to state that yesterday evening I requested Major-General Gillmore to relieve General Heckman's brigade, which has been fighting three days out of the four that we have been here, by a brigade of General Turner's division, stating at the time that I had no troops not actually in the presence of the enemy, and that I was anxious to give General Heckman a chance to make some coffee for his men, which they could not do on the front. This request was denied. Later in the evening, upon being informed by General Gillmore that our rear was threatened by infantry and cavalry, I requested General Gillmore to give me one regiment to guard the roads leading to the rear of my lines, stating at the time that I had no regiment that I could safely withdraw from my front, on this duty. Still later in the night, at a time when I thought General Burnham was being driven back, and knowing that the safety of our command depended, in a great measure, upon that position being held, to save time I sent directly to General Turner, asking him to give me two regiments to aid General Brooks to maintain that position. I have therefore, now, respectfully to request, that in accordance with the usages of military service, that General Heckman's brigade be relieved by troops that have not been to the front, at once.

Very respectfully,

WM. F. SMITH,
*Major-General.*

HEADQUARTERS TENTH ARMY CORPS,
NEAR SWIFT CREEK, May 10, 1864.

MAJ.-GEN. B. F. BUTLER, COMMANDING DEPARTMENT OF VIRGINIA AND NORTH CAROLINA:

*General:*—I have received your despatch in reply to the note signed by General Smith and myself. That note contained simple suggestions, nothing more. It could not have contained any recommendation from me to change plans, as I did not know what the plan of operation was, further than to cut the Petersburg and Richmond Railroad. Presuming that it was desirable to cut all the railroads leading out of Petersburg, I could see no better way to do it than the one proposed. *I had had no opportunity to confer with General Smith until I met him in your presence, and did not*

*converse with him upon the nature of his instructions, or the objects aimed at, until after you had left.* My orders from you were to destroy the railroad, and afterwards, verbally, to support General Smith's movement on Swift's Creek. Further orders from you, regulating the movements of the two corps, seem necessary. At Brandon Bridge the enemy have infantry and cavalry this side of the creek, and the approaches are open and covered by artillery on the other side. No practicable ford has been found yet. I am destroying the railroad near the junction.

Very respectfully, your obedient servant,

Q. A. GILLMORE,
*Major-General Commanding.*

[**No. 44.** *See page* 648.]

May 10, 1864.

MAJOR-GENERAL BUTLER, COMMANDING DEPARTMENT OF VIRGINIA AND NORTH CAROLINA:

*General:* — I have the honor to acknowledge receipt of your letter directed to General Gillmore and myself, and to reply to it only so far as myself am personally concerned.

Just *after* you had left yesterday *General Gillmore proposed this plan*, and it seemed to me to be one worthy of your consideration, as having a tendency to save waste of life to a certain extent, and to more effectually cut the enemy's communications, than any infantry force on this side the river could do. I understood you yesterday positively to say that Colonel Kautz was going south on the railroad, which he had already cut. This was, in my mind, a leading idea in giving to this plan the weight which I did. The objections to it were, first, that it would have the semblance of a repulse here; and, secondly, that if we could force our way across the creek, we would gain valuable time over the other plan. These considerations, which I know would occur to you, were, therefore, unnecessary to mention. The suggestions were made, so far as I was concerned, merely to call your attention to a plan which seemed to me to possess merit. I am happy to state that General Gillmore's idea received the sanction of General Weitzel and Colonel Dutton. I have made this long explanation for peculiar and private reasons, and can only say in conclusion, that as I have never before been accused of infirmity of purpose, I shall not take the charge as one seriously affecting my military reputation. I had forgotten to mention that the letter was not drawn up or signed by me as a formal protest, but only in a semi-informal manner and in the quickest time of conveying to you the ideas which had been discussed by General Gillmore and myself. Pure consideration for the troops here and the cause in which we are engaged, it becomes my duty to you to express the opinion that the withdrawal from this point must be made in accordance with some well-regulated plan published from head-quarters of the army, and not according to the separate wishes and interests of corps commanders.

Very respectfully, your obedient servant,

WM. F. SMITH,
*Major-General.*

[**No. 45.** *See page* 649.]

CITY POINT, May 10, 1864, 9 A. M.

MAJOR-GENERAL BUTLER:

I have arrived here with my entire command. Have burned the Stony Creek Bridge, the Nottoway Bridge, and Jarratt's Station. I have about one hundred and thirty prisoners. Loss in my command about thirty killed and wounded. I want rations and forage as soon as I can get them.

A. V. KAUTZ,
*Brigadier-General.*

[**No. 46.** *See page* 651.]

IN THE FIELD, NEAR DRURY'S BLUFF, May 13, 1864, 9 A. M.

REAR-ADMIRAL LEE, COMMANDING, ETC.:

Would it not be possible for you to bring up the gunboats, monitors, opposite Dr. Howlett's, so as to cover our flank on the river, and relieve a considerable body of my troops? Both sides of the river there are low and flat, and it is an excellent point for the gunboats to lie.

BENJ. F. BUTLER,
*Major-General.*

May 13, 1864.

REAR-ADMIRAL S. P. LEE:

I think it would be of great public service if you can put your boats so as to cover my landing for supplies at Howlett's House.

BENJ. F. BUTLER,
*Major-General Commanding.*

U. S. STEAMSHIP AGAWAM, TRENT'S REACH,
JAMES RIVER, May 15, 1864, 3.30 P. M.

MAJ.-GEN. B. F. BUTLER:

Your despatch answered by signal corps. Enemy vigorously intrenching on the heights at Howlett's, under a destructive fire from gunboats. They will doubtless mount guns to-night to command Trent's Reach. Only a land attack can dislodge them. River falling. Careful soundings to-day show [that we] cannot cross this bar.

S. P. LEE,
*Actg. Rear-Admiral, Comdg. North Atlantic Block. Squad.*

P. S. 4 P. M. The rebel artillery has appeared on the heights at Dutch Gap.

S. P. LEE,
*Acting Rear-Admiral.*

[**No. 47.** *See page* 651.]

WASHINGTON, D. C., May 13, 1864, 6 A. M.

MAJOR-GENERAL BUTLER, IN THE FIELD (VIA FORTRESS MONROE):

Your despatch of yesterday 3.30 has been forwarded to General Grant. A despatch just received from the battle-field reports a general attack by Grant at 6 A. M., in which great success was achieved. Hancock had

captured Maj.-Gen. Edward Johnson's division, taken him and Early and forty cannon, and the prisoners were counted by thousands. Nothing has been heard for two days from General Sherman. The lines are broken by a heavy storm.

EDWIN M. STANTON.

[**No. 48.** *See page* 652.]

WAR DEPARTMENT, WASHINGTON, May 13, 1864, 6.40 P. M.

MAJOR-GENERAL BUTLER, IN THE FIELD:

Lee abandoned his works last night and retreated. Grant is pursuing. There has been thirty-six hours' hard rain, and the roads are heavy. At last account Hancock had come up to his [Lee's] rear guard.

EDWIN M. STANTON,
*Secretary of War.*

[**No. 49.** *See page* 652.]

May 13, 1864, 7 P. M.

GENERAL AMES:

General Gillmore has carried the enemy's works on their right. We are before them on the left. Glorious news from Grant inclosed. Can you hold your own without help? Guard against surprise and night attack. Report to me frequently, near Half-Way House (Dr. Cheatham's).

B. F. BUTLER,
*Major-General Commanding.*

[**No. 50.** *See page* 653.]

HEADQUARTERS IN THE FIELD, May 14, 1864, 7 P. M.

LIEUTENANT-COLONEL FULLER:

Your despatch received. My compliments to General Sheridan. Say to him I think he had better not come over with his forces, but should be happy to receive him. Give him all the forage and rations he needs. Tell him I have reliable information from a deserter and a prisoner that to-night there are but two hundred men at Chaffin's farm, thirteen miles only from where he is, and opposite where I am now fighting. All the rest have been hurrried over to fight me. They have no bridge. Can he not take Chaffin's farm?

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 51.** *See page* 653.]

IN THE FIELD, May 14, 1864, 9. P. M.

GENERAL SHERIDAN:

Since I wrote a hurried note to Lieutenant-Colonel Fuller, I have thought best to request you to join me with your command. You can aid us very much in our operations here, and, as we shall soon be joined by Lieutenant-General Grant, you will be able best here to report to him. I wish you might be able to capture Chaffin's farm as I suggested in my note to Colonel Fuller. At any rate, I wish you would do this

service to the navy. They are much annoyed by torpedoes. These torpedoes are exploded by means of galvanic batteries on the shore. The person who brings the note will have with him a negro who can give you all information in regard to torpedoes. Please send up a force along the north bank of the James as far as Chaffin's farm, and make diligent search for torpedoes and the wires. Burn any house where such machines are harbored. Capture and bring to me all persons that have anything to do with them. I shall be most happy to see you personally at the earliest possible moment.

Respectfully,

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 52.** *See page* 653.]

May 15, 1864, 3 P. M.

GENERAL SHERIDAN:

You will bring your command at once across the river to Bermuda Landing, then march it on to the ground near Howlett's house, and between that and the railroad, encamp it there, and give your horses rest. No more duty on horseback will be required of you than to picket your own position and the approaches leading thereto. The utmost despatch in getting to your position is desired. Quartermaster will supply transportation and forage.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 53.** *See page* 653.]

HEADQUARTERS, May 15, 1864, 3 P. M.

GENERAL SHERIDAN:

You will turn over all your disabled and unserviceable horses to the quartermaster at Bermuda Landing, by him to be turned out to graze in the neighborhood there for the purpose of recruitment. You will at once make all the necessary requisitions upon the quartermaster, commissary, and ordnance officer, to the end that we may send to Fortress Monroe for supplies.

B. F. BUTLER,
*Major-General Commanding.*

[**No. 54.** *See page* 655.]

May 16, 1864, 6 A. M.

GENERAL GILLMORE:

The enemy has advanced from his works on our right and made a vigorous demonstration there. A rapid movement on the left would, I think, carry his lines in your front. Make it at once.

B. F. BUTLER,
*Major-General Commanding.*

[**No. 55.** *See page* 655.]

May 16, 1864, 7.07 A. M.

MAJOR-GENERAL BUTLER:

Since my despatch of 6.40 the enemy have made two assaults on General Terry's front in force, and have been repulsed. No troops have been taken from my front.

Q. A. GILLMORE,
*Major-General.*

[**No. 56.** *See page* 657.]

HDQRS. DEPT. OF NORTH CAROLINA AND SOUTHERN VIRGINIA,
DRURY'S BLUFF, VA., May 14, 1864.

GEN. B. BRAGG, COMMANDING C. S. ARMIES, RICHMOND, VA.:

*General:* — Considering the vital importance of the issue involved, and resting upon the success of the plan I suggested to you this morning, I have deemed it advisable and appropriate that their substance should be briefly communicated in writing. General Lee's army, at Guiney's Station, and my command, at this place, are on nearly a right line passing through Richmond. Grant's army is on the left flank, and Butler's on the right. Our lines are thus interior. Butler's aim is unquestionably to invest and turn Drury's Bluff, threatening and holding the Petersburg and Danville railroads, opening the obstructions in the river at Fort Drury for the passage of war vessels, and necessitating the return of General Lee to the lines about Richmond. With the railroads held by the enemy, Grant in front and Butler in rear of the works around Richmond, the capital would be practically invested, and the issue may well be dreaded.

The plan submitted is: That General Lee should fall back to the defensive lines of the Chickahominy, even to the intermediate lines of Richmond, sending temporarily to this place fifteen thousand men of his troops. Immediately upon that accession to my present force, I would take the offensive, and attack Butler vigorously. Such a move would throw me directly upon Butler's communications, and, as he now stands, with his right flank well turned toward his rear, General Whiting should also move simultaneously, and Butler must necessarily be crushed or captured, and all the stores of that army would then fall into our hands; an amount, probably, that would make an interruption of our communications for a period of a few days a matter of no serious inconvenience. The proposed attack should be accomplished in two days at furthest after receiving my reinforcements. This done, I would move with ten thousand more men to the assistance of General Lee than I drew from him, and Grant's fate could not long remain doubtful. The destruction of Grant's forces would open the way for the recovery of most of our lost territory, as already submitted to you in general terms.

Respectfully, your obedient servant,

G. T. BEAUREGARD,
*General Commanding.*[1]

[1] War Records, Chapter XLVIII., Part II., p. 1024.

PLAN OF CAMPAIGN.

HDQRS. DEPT. OF NORTH CAROLINA AND SOUTHERN VIRGINIA,
HANCOCK'S HOUSE, 2 1–2 MILES NORTH OF WALTHALL JUNCTION, VA.,
May 18, 1864, 9 P. M.

The crisis demands prompt and decisive action. The two armies are now too far apart to secure success, unless we consent to give up Petersburg, and thus place the capital in jeopardy. If General Lee will fall back behind the Chickahominy, engaging the enemy so as to draw him on, General Beauregard can bring up fifteen thousand men to unite with Breckinridge, and fall upon the enemy's flank with over twenty thousand effectives, thus rendering Grant's defeat certain and decisive in time to enable General Beauregard to return with reinforcements from General Lee to drive Butler from before Petersburg, and from his present position in advance of Bermuda Hundred. Petersburg and Richmond could be held three days, or four at most, by the forces left there for that purpose. Without such concentration nothing decisive can be effected, and the picture presented is one of ultimate starvation. Without concentration General Lee must eventually fall back before Grant's heavy reinforcements, whereas the plan presented merely anticipates this movement for offensive purposes. Meantime, it is impossible to effectually protect our lines of communication with North Carolina, and impossible to hold our present line in front of Butler with a much more reduced line. At present, three thousand men can be spared from there with safety; day after to-morrow perhaps two thousand more, for our lines will probably be stronger if, as we expect, our advanced line can be occupied to-morrow.

G. T. BEAUREGARD.

[**No. 57.** *See page* 664.]

IN THE FIELD, May 20, 1864, 11.20.

Brigadier-General Weitzel will make a tour of inspection of the lines of intrenchments, and his orders and suggestions in regard to working parties and supports will be implicitly carried out by corps, division, and brigade commanders.

BENJ. F. BUTLER,
*Major-General Commanding.*

[*Circular.*] HEADQUARTERS, May 20, 1864, 1 P. M.

General Weitzel is serving as chief engineer in absence, by sickness, of Captain Farquhar, and his orders will be mine and will be given in my name.

BENJ. F. BUTLER,
*Major-General Commanding.*

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
IN THE FIELD, VA., May 20, 1864.

General Order No. 65.

1. Brig.-Gen. Godfrey Weitzel is hereby announced as chief engineer of this department and army, and will be obeyed and respected accordingly. . . .

By command of Major-General Butler :

R. S. DAVIS,
*Major and Assistant Adjutant-General.*

[**No. 58.** *See page* 666.]

GENERAL BRAGG : May 18, 1864.

I have about nineteen thousand infantry, two thousand cavalry, and four battalions artillery this side Swift Creek; beyond Swift Creek Walker's brigade and two regiments (Dearing's brigade) cavalry.

G. T. BEAUREGARD,
*General Commanding.*[1]

[**No. 59.** *See page* 666.]

GENERAL BUTLER'S HEADQUARTERS, May 20, 1864, 10 P. M.
(Received 7.40 A. M., 21st.)

HON. EDWIN M. STANTON, SECRETARY OF WAR:

Have been fighting all day. Enemy are endeavoring to close in on our lines. We shall hold on. Have captured rebel General Walker, of Texas troops. General Sheridan is at White House, and has sent for a pontoon bridge, which I have forwarded him. Have also sent one of my army gunboats with launches up the Rappahannock, as requested.

B. F. BUTLER,
*Major-General.*

[**No. 60.** *See page* 669.]

NEAR CHESTER, May 30, 1864, 10 P. M.

GEN. R. E. LEE, AT LEE'S STATION :

Hoke's division and Read's battalion of artillery have been ordered to report to you forthwith. I will follow with Johnson's as soon as enemy's movements here will permit.

G. T. BEAUREGARD.

[**No. 61.** *See page* 670.]

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
HALF-WAY HOUSE, May 14, 1864.

*General:*—You are authorized to make the change in the troops indicated. Fort Powhatan is a very important position. Require from my ordnance officer what heavy guns you may need for Fort Powhatan, but get them here soon. I cannot at present spare the colored cavalry, but will as soon as Kautz gets through.

By command of Major-General Butler:

H. C. CLARKE,
*Capt. & A. D. C.*

BRIGADIER-GENERAL E. W. HINKS, *Commanding, etc.*

[**No. 62.** *See page* 671.]

WASHINGTON, May 24, 7.30 P. M.

MAJOR-GENERAL BUTLER:

General Grant directed that you have twenty thousand men, exclusive of artillery and cavalry, which are not wanted, ready to be moved as may be ordered. Your position at City Point will be prepared for defence by a small force. General Grant crossed the North Anna near railroad bridge on the 22d, and on the 23d was moving on the South Anna.

HALLECK,
*Major-General.*

[1] War Records, Chapter XLVIII., Part II., p. 1025.

[**No. 63.** *See page* 671.]

HEADQUARTERS IN THE FIELD, May 28, 1864, 7.15 P. M.

HON. E. M. STANTON, SECRETARY OF WAR.

As I informed General Halleck in my despatch of 8.30 of May 26, I had already got my best troops into a movable column for the purpose of offensive operations. My defensive line is in such position as to be safe to leave it with the dismounted cavalry, the invalids, and a few good troops. I found that the rebels had uncovered Petersburg, and its importance as a depot to them cannot be overrated. I had proposed to attack the place to-morrow morning, with every prospect of success, but the imperative orders transmitted through General Halleck, and the arrival of the transportation, although not sufficient, in my judgment, but yet sufficient to begin with, rendered necessary a change of order. General Smith embarks to-night. I have now left here one division and two regiments of infantry, invalids, dismounted cavalry, and artillery. Much of the light artillery I shall send away as soon as my transports return. I regret exceedingly the loss of this opportunity upon Petersburg.

BENJ. F. BUTLER,
*Major-General.*

[**No. 64.** *See page* 677.]

During the latter part of September last, General Grant sent for me to come to his headquarters. He told me that an expedition was being prepared to close the mouth of Cape Fear River, near Wilmington. . . . He said that the War Department had selected an officer to command the land forces of the expedition, but he did not wish that officer to command them, as he had once shown timidity.

. . . . . .

Q. Who was that officer selected by the War Department to whom General Grant objected?

A. General Gillmore.[1]

[**No. 65.** *See page* 687.]

NEAR BETHESDA CHURCH, June 1, 1864, 5 P.M.
(Received 6.10 P. M., 2d.)

As I reported in my despatch of 10 A. M., Warren was ordered to attack a column of the rebel infantry which was passing toward Cold Harbor, but instead of falling upon it in force he opened with artillery, and at 3 P. M., reported that the intrenchments of the enemy were exceedingly strong, and that his own lines were so long that he had no mass of troops to attack with. It seems that Wright blundered in the execution of his order to march to Cold Harbor. Instead of having his advance there at 9 A. M., as was General Grant's and Meade's design that his whole corps should be on the ground at daylight, when a rapid attack in mass would certainly have routed the rebel force which a little later assaulted Sheridan, and an advantage might easily have been gained which, followed up by

[1]Testimony of Major-General Weitzel before the Committee on the Conduct of the War, Fort Fisher Expedition. Report Part II., pp. 67-73].

Sheridan's two divisions of cavalry, might have led to the dispersal of Lee's army. Both Generals Grant and Meade are intensely disgusted with these failures of Wright and Warren.

Meade says a radical change must be made, no matter how unpleasant it may be to make it; but I doubt whether he will really attempt to apply so extreme a remedy. Meanwhile the two corps have been ordered to withdraw from the lines before the enemy, and take up a position in reserve behind Sheridan. This will give us a heavy movable column for attack or defence under a general who obeys orders without excessive reconnoitring. . . .

C. A. Dana.

Hon. Edwin M. Stanton, *Secretary of War.*[1]

[**No. 66.** *See page* 687.]

June 15, 1864, 7.20 p. m.

General Smith:

I grieve for the delays. Time is the essence of this movement. I doubt not the delays were necessary, but now push and get the Appomattox between you and me. Nothing has passed down the railroad to harm you yet.

Benjamin F. Butler,
*Major-General Commanding.*

[**No. 67.** *See page* 690.]

New York, Dec. 7, 1891.

Maj.-Gen. Benj. F. Butler, Lowell, Mass:

*My Dear General:* — In response to your request that I should put in writing a statement as to my action as one of your staff officers on the 15th of June, 1864, in connection with the movement upon Petersburg by a portion of the Army of the James upon that day, I have the honor to say: —

Gen. Wm. T. Smith ("Baldy" Smith), commanding the Eighteenth Army Corps of the Army of the James, was ordered by you, as the major-general commanding that army, to move upon Petersburg early on that day. His action and that of his forces under his command were most anxiously waited for by you, during the long hours of the forenoon and well into the afternoon.

Becoming impatient at not hearing that he had assaulted the works of the enemy before that city, you directed me, about three o'clock in the afternoon, to ride to General Smith, to ascertain why nothing had been heard from him, and why he had not made the assault. I was also directed to say to General Smith that it was your order that an immediate assault should be made upon the intrenched lines before Petersburg.

In compliance with these instructions I made the ride from the Bermuda Hundred front to Smith's forces, whom I found were before the enemy's intrenchments. Inquiring for General Smith at his head-

[1] War Records, Vol. XXXI., Part I., p. 85.

quarters, I was informed that he was personally engaged in a reconnoissance of the enemy's position. I at once started in the direction which I was told he had taken, and finally found him on, or a trifle beyond his picket line.

I there delivered to him your messages of surprise at his non-action, your desire to be informed of the causes, and your order for an assault. General Smith replied that the delay had been first occasioned by reason of the engagement he had with the enemy in the morning some miles from his then position, and since his arrival before Petersburg he had been engaged in a personal reconnoissance of the enemy's position; that his reconnoissance was then completed, and that he should shortly direct the assault ordered.

I reported back to you about 7 P. M., stating in detail what I had seen and done, and General Smith's replies to your inquiries and order, all which are here set forth in condensed form only. I further reported that I had carefully observed the enemy's line with an eye to the forces which were probably confronting us, and that everything seen and unseen indicated that the information in your possession as to their strength — about two thousand men — was correct. I further reported that on my return ride from General Smith to you, I had run into and passed a portion of General Hancock's corps of General Meade's army (I believed it to be Birney's division) at about half-past five, some four miles from General Smith's position, and that they were marching to join him.

About 8.30 P. M. an aid to General Smith reported to you that at half-past seven Smith's forces had carried the line of defence near Jordan's, and were moving toward the Appomattox. Soon after this you sent for me and expressing your anxiety lest General Smith should allow nightfall to close his operations for the day, you directed me to again visit Smith, and convey to him your command that there should be no cessation of his movements, but a continued renewal of his assaults; that Petersburg could be taken that night, and should be, and he must put himself and his troops south of the Appomattox.

Returning to General Smith I found him in conversation with General Hancock near the latter's headquarters. Seeing me ride up and dismount, General Smith drew aside, and I delivered to him your commands. He replied that he had "determined to make no further attack that night." I expressed to him my regret at receiving such a reply; said to him that you knew there had been no reinforcements received by General Beauregard from Lee's army; that while the enemy's strength might have been added to somewhat, it could only have been increased either from being drawn from the Bermuda front, or from the forces then on the north side of the James — the lines before Richmond; that with his own and Hancock's command, two divisions of which, he informed me, were up, he must have all of thirty thousand men; that I knew both General Grant and yourself expected Petersburg to be taken that night, and urged him to change his determination not to continue the movement, and to at once comply with your command.

His only response was "General Hancock's arrival has left me the junior officer." With this remark he turned away. General Hancock

had left when General Smith turned to walk with me. I started to return to you, but Smith's manner and tone had been such as to leave upon my mind the most unpleasant reflections. The inference I drew from his remark was, that General Hancock, whom I did not then personally know, but whom I had always regarded as a most brave and loyal officer, had asserted his superior rank and sought to command the combined forces in any subsequent movement. I therefore turned back and went to General Hancock's headquarters for the purpose of ascertaining the facts with respect to that matter. I did not find Hancock there, but from his staff I learned that General Hancock had promptly, upon arriving on the field, waived his rank, placed himself and his command at the service of Smith, and that his (Hancock's) troops were then preparing to relieve Smith's men in the front.

All this I reported to you between eleven and twelve that night, and I can never forget your surprise, your sorrow, or your disgust when you learned of Smith's refusal to obey orders and the evident intent upon his part to place upon General Hancock the responsibility for no further movements that night. After a few moments' reflection you turned to me and asked if I would make a third ride to Smith, saying, that while I had had a hard day's work, my knowledge of the roads, of the position of the army, and of the situation in front of Petersburg was such as to make it almost necessary that I, rather than any other officer of your staff, should go. To that I responded that I would cheerfully go.

You then directed me to see General Smith personally and to say to him that you peremptorily ordered him, *upon the receipt of your command sent by me*, to cause an immediate attack to be made upon the defences of Petersburg by all the forces then present.

I arrived at the front upon this mission between one and two o'clock on the morning of June 16. I found General Smith's headquarters camp and rode directly to the tents thereof. Inquiring of the sentries as to which was General Smith's tent, no one seemed to know and they stated that they had not seen him. I then made inquiry of some of his staff as to his whereabouts and was informed that they were unknown; that he had gone earlier in the night to General Hancock's headquarters and had not returned to camp.

Smith's camp was pitched on the right of the road in a piece of woods, and after thorough inquiry there, which was answered each time with a denial of all knowledge of the general's whereabouts, I proceeded to General Hancock's headquarters and to those of the division commanders of Smith's command. At none of these places could I obtain any knowledge or information as to him. Returning to the neighborhood of his headquarters camp I endeavored to reach it from another side than that on which I had originally entered it, and found that the bushes, trees, and undergrowth prevented this, and after looking the ground over became satisfied that the path I had originally taken to it from the main road was practically the only approach to it which had been beaten down and used. It was then between two and three o'clock in the morning, and throwing my bridle over one arm I placed my rubber blanket on the ground and lay down across the path leading from the main road to Smith's camp, well

knowing that no one could pass over me or around my mare without awakening me. I then dozed off, getting something over an hour's broken sleep.

Upon awakening I left my horse and started through the camp, opening the flies of several of the tents and looking in at the occupants. I proceeded in this way through that portion of the camp occupied by the officers without obtaining a sight of General Smith. Passing then to the rear where the tents of the orderlies and servants were pitched, I saw a tent some distance from those occupied by Smith's staff, and close to those the orderlies' quarters. Opening the fly of this tent I came face to face with General Smith who had evidently just arisen. He manifested great surprise at seeing me. I proceeded at once to state to him the efforts I had made to find him, at the same time expressing my surprise at his locating himself so far from that portion of his camp occupied by his staff as to have precluded them from any knowledge of his whereabouts. His reply was that "I was very tired and came here for the purpose of securing rest, and being where I would not be likely to be disturbed." I then delivered to General Smith your positive command for an immediate assault upon the receipt of the order, stating that your order was equally as good at that hour as it would have been had it been delivered at an earlier one. He responded that "he would look his position over and prepare to attack the enemy."

These facts I reported to you upon my return to headquarters between 6 and 7 A. M. on June 16.

I desire to call your attention to the fact that the night of the 15th of June was one of the most favorable nights which an army had ever presented for a night assault. The moon was substantially full, and the night as clear and bright as any I ever saw.

One other matter should be noticed. You will find that in one of your telegrams to General Grant on the night of the 15th, you speak of Hancock's troops having been passed by one of your staff about half past *nine* P. M. some four miles from Petersburg.

The hour they met was half past *five* P. M. The error was a clerical one due to haste in writing, and while such mistakes were not frequent in the army when the number of hastily written telegrams is considered, they did occur many times. A most notable instance is in one of General Hancock's despatches in which he says his force joined that of General Smith at *five* P. M. Gen. Francis A. Walker, chief of staff to General Hancock, in his history of Hancock's corps says the hour intended to be stated was *eight* P. M. This accords with the now well-established facts, as the assault made by General Smith's command was over at 7.20 P. M., and the Second Corps arrived shortly thereafter.

The facts as here stated of your orders, and my delivery of the same, are indelibly impressed upon my memory, and have been frequently told by me to personal friends and brother officers, during the nearly thirty years which have elapsed since their occurrence.

In view of them is it to be wondered at that, during that entire time General Smith has, so far as any public utterances of his are known, never by word or by pen, answered the severe and adverse criticisms upon his

failure to capture Petersburg on the 15th of June, although, with hardly an exception, every speaker and writer upon the subject on either side has maintained that nothing but his inaction prevented it from being taken?

Had he obeyed his orders Petersburg would have been ours that night, our forces would have been south of the Appomattox, thereby putting that between us and Lee, the fall of Richmond would have immediately ensued, and no one now doubts that at least fifty thousand wounded men and dead would have been spared from suffering and death.

Very sincerely yours,

JOHN I. DAVENPORT,
*Late Lieut. (Brevet-Captain) and A. D. C.,*
*Ass't. Provost-Marshal Army of the James.*

[**No. 68.** *See page* 691.]

CLAY'S HOUSE, 3.30 P. M., June 17, 1864.

MAJ.-GEN. W. H. F. LEE:

Push after the enemy and endeavor to ascertain what has become of Grant's army. Inform General Hill.

R. E. LEE.

[**No. 69.** *See page* 691.]

CLAY'S HOUSE, 3.40 P. M., June 17, 1864.

GEN. G. T. BEAUREGARD, PETERSBURG, VIRGINIA:

Have no information about Grant's crossing James River, but upon your report have ordered troops up to Chaffin's Bluff.

R. E. LEE.

[**No. 70.** *See page* 691.]

June 11, 1864.

GENERAL BEAUREGARD, COMMANDING:

*General:*—I am so much disturbed about our condition, but especially about our relations to Petersburg, that you must excuse me for a suggestion. It seems to me that there is but one way to save the country and bring the authorities to their senses, and that is to say: "I cannot guard Bermuda Hundred and Petersburg both, with my present forces. I have decided that Petersburg is the important point and will withdraw my whole command to that place to-night." It is arrant nonsense for Lee to say that Grant can't make a night march without his knowing it. Has not Grant slipped around him four times already? Did not Burnside retire from Fredericksburg, and Hooker from the Wilderness without his knowing it? Grant can get ten thousand or twenty thousand men to Westover and Lee know nothing of it. What, then, is to become of Petersburg? Its loss surely involves that of Richmond,—perhaps of the Confederacy. An earnest appeal is called for now, else a terrible disaster may, and I think will, befall us.

Very respectfully,

D. H. HILL,
*Major-General and Aide-de-Camp.*

[**No. 71.** *See page* 692.]

JACKSON, N. H., July 8, 1891.

GEN. B. F. BUTLER:

*Dear Sir:* — Your letter of the 25th ultimo addressed to me at Cambridge has followed me to this place where I am invalided for the summer, my physicians having advised me that I must seek recuperation in a change of climate, as my health was so much shattered that they could do nothing to help me but to recommend such a change. I have no records or reports available here to which to refer, and therefore can only reply to the suggestions contained in Mr. Campbell's communication, herewith returned, from memory.

It seems to me to have been of little consequence where the Ninth Corps might have been on the 16th of June, 1864, as far as the operations against Petersburg were concerned, if it could not have been in front of the defences of that place before night on the 15th.

The Second Corps, I believe, crossed the pontoon bridge on the 14th of June, and was on the march towards Petersburg on the 15th, arriving within a mile of the portion of the works already captured by my division at about sunset, and at about ten o'clock at night, perhaps later, occupied the captured works, my division being withdrawn about one hundred yards to its rear.

About sunrise on the morning of the 16th a vigorous attempt was made to dislodge the Second Corps and recover possession of the works by Confederate troops, not militia men, but understood at the time to be veterans of Beauregard's old command, who had begun to enter Petersburg about nine o'clock the night before. The attack was continued for several hours with heavy casualties on both sides, and terminated without loss or gain of position to either side. My division remained in support of the Second Corps until the attack was repulsed, when it was withdrawn towards the right.

Concerning the failure of the Eighteenth Corps to capture Petersburg on the 15th of June, I can only state from memory that the corps marched from the vicinity of Broadway on the Appomattox at 7 o'clock A. M. or later; I had expected that the movement would begin at a much earlier hour, as I had recommended in a plan of operations previously submitted by myself, and my division had been in readiness to move at any moment after 1 o'clock A. M. On the march Kautz's brigade of cavalry was at the head of the column, my command next in order, and the divisions of Martindale and Brooks followed. When a portion of the column had passed the City Point Railroad, and the cavalry was opposite Cedar level near Baylor's farm, the enemy's guns opened fire from the open field on the opposite side of Cedar level; this was somewhat of a surprise to me, as a few days before I had, with an escort, ridden over Baylor's farm, finding no signs of the enemy except a picket-post in the woods on the side towards Petersburg of the open field in which the guns were evidently now planted; and when discovered the men, a dozen or so in number, discharged their muskets full in the faces of myself and staff at short range, hitting nothing, and fled through the woods towards Petersburg. I, therefore, now told General Smith

that I did not believe it possible that the enemy occupied the position in any considerable strength, and he (General Smith) at once directed General Kautz to charge with his cavalry through the open road across the level, and dislodge the force obstructing our way. Kautz started off briskly, and hardly had the rear of his brigade disappeared from sight in the circuitous road when the head of it reappeared coming as briskly to the rear, his column having been repulsed, doubled up and thrown into considerable disorder; he reported to General Smith, as I understood, that the enemy was in considerable force directly in front of the road, and could not be dislodged by any direct movement through that road. General Smith then said he would send the division of Brooks around the right of Cedar Level Swamp, and dislodge the enemy by a flank movement. I suggested that this would involve a long countermarch and much delay, and that I believed a line could be pushed through the swamp in our front; he thought the swamp was entirely impractical for any troops, but said I might try it if I chose, and rode away to give directions to General Brooks. First placing my batteries in position to cover the movement, I directed several regiments to deploy and enter the swamp on either side of the road, and to push on with the utmost vigor; this movement was promptly executed, several men being killed, and a number of officers and men wounded in the swamp; but as soon as our men appeared in the opposite side of the swamp the enemy fled, leaving behind one field-piece covered with *chevaux-de-frise*, but escaping with the limber.

My division was now on either side of the swamp, which Martindale's division had not passed, and Brooks' division had been diverted from its route; therefore, considerable time was taken to re-form the column, it being past noon, I think, when the march was resumed from Baylor's farm towards the Jordan Point road. I should here state that during the affair at Baylor's farm, my horse failed in an attempt to leap the railroad ditch, and in his fall I was caught and pressed between his shoulder and the bank, causing severe internal injuries and pain which greatly interfered with my activity and usefulness during the day.

It was considerably past noon, as I remember, when my division reached Jordan Point road; the divisions of Martindale and Brooks having been directed by General Smith to move from Baylor's farm towards Petersburg by approaches to the right of the Jordan Point road and Kautz's cavalry being ordered to move to the left of that road. Of the movements of these commands during the remainder of the afternoon of the 15th and on the forenoon of the 16th I saw nothing and have no personal knowledge.

On reaching the Jordan Point road my division moved by it towards Petersburg, General Smith accompanying me; and on the head of my column debouching from the woods in front of the Confederate works, the enemy's artillery along the whole line of redoubts opened fire with deliberation and precision. General Smith, after examining the position, thought that the only practical method of successful assault was to send forward successive lines of skirmishers to within easy musket range of the works until a cloud of skirmishers had secured such a lodgment, and

then after picking off some of the gunners to charge into the works with the whole line. Having directed me to execute these preliminary details, but not to assault the works until his return, General Smith rode towards the right. After an hour or two he returned and personally inspected every part of my advanced line, and expressed himself as satisfied that everything was in readiness on my line for a successful assault; he then directed me to await a signal from the right, and on receiving it to push forward with my whole command. It was 6 o'clock P. M. or after when the signal was received and the troops were immediately in motion,— dashing forward at a run — the centre was momentarily repulsed, but was promptly rallied by its field officers and mounted the works with a shout of triumph. Having gained the works in their front, the regiments of the Second Brigade swung to the left and successfully assailed the redoubts in flank and rear, the enemy making a brief stand in each and then retiring to the next on the left until we had captured five or six redoubts and their intervening defences, and twelve additional field-pieces, all thoroughly equipped and in excellent condition.

General Smith rejoined me a little before sunset, if I remember correctly, and extending his hand his first exclamation was: "Why, Hinks, this is a stronger position than Missionary Ridge." He then cautioned me to hold my troops well in hand, and on my asking him if he proposed to move forward he replied: "Oh, no; if we attempt to capture more we may lose all we have gained," or words to that effect. I then asked if any further movement should be made towards the left and he replied in substance, rather emphatically: "Not at all. We have already captured as much as we can securely hold;" and then directed me to set my command at work, reversing the captured works as rapidly as possible. He then again rode towards the right, and about half an hour later while I was engaged in stationing my command and in giving instructions for reversing the works, a staff officer approached and informed me that the commander of the Second Corps wished to see me on the Jordan Point road some distance to the rear. I at once rode to near the intersection of the roadway from Baylor's farm with the Jordan Point road, and there found General Birney (or was it General Gibbons) in command of the Second Corps (General Hancock having, for some reason, remained behind); he said to me that he had been ordered to march the corps to the support of the troops that were operating against Petersburg, and I explained to him as briefly as I could what had been accomplished and the existing situation, and suggested that he move directly forward to the rear of my division, then deploy to the left in the open field and continue the occupation of the enemy's works in that direction, as I thought he would meet with but slight resistance, if any at all; this he objected to, saying that he would not move his troops at night in presence of the enemy upon grounds with which he was not familiar. I then suggested that he move his command forward towards my division and await instructions from General Smith who was in command, and I had no authority to give any instructions. To this he made no definite response, and as I felt that my presence at the front was important, I hastened back to my command, and at once sent information to General Smith of the proximity of the Second

Corps. At about ten o'clock at night the corps moved into the works already captured by my division, General Smith being then upon the ground, and by his orders my division was withdrawn to the rear some seventy-five or one hundred yards, as stated in the beginning of this narrative.

What the cavalry brigade of Kautz or the infantry division of Martindale and Brooks were doing in the afternoon while my division was capturing guns and defences, I have never learned; but a day or two afterwards while conversing with General Martindale, he generously said that in his judgment whatever credit was won by the troops on the 15th was mainly due to the movements of my division, for which he heartily congratulated me.

I am, General, very truly yours,

EDWARD W. HINKS.

[**No. 72.** *See page* 694.]

June 21, 1864, 9 A. M.

MAJOR-GENERAL SMITH:

To so meritorious and able officer as yourself, and to one toward whom the sincerest personal friendship and the highest respect concur in my mind, I am and shall ever be unwilling to utter a word of complaint; yet I think duty requires that I should call your attention to the fact that your column which was ordered to move at *daylight* in the cool of the morning is now just passing my headquarters in the heat of the day for a ten-mile march.

The great fault of all our movements is *dilatoriness*, and if this is the fault of your division commanders let them be very severely reproved therefor.

I have found it necessary to relieve one general for this among other causes, where it took place in a movement of vital importance, and in justice to him you will hardly expect me to pass in silence like fault when of less moment. The delay of Grouchy for three hours lost to Napoleon Waterloo and an empire, and we all remember the bitterness with which the Emperor exclaimed, as he waited for his tardy general, "*Il s'amuse a Gembloux.*"

Respectfully,

B. F. BUTLER,
*Major-General Commanding.*

[**No. 73.** *See page* 694.]

HEADQUARTERS EIGHTEENTH ARMY CORPS,
3.40 P. M., June 21, 1864.

*General:* — I have the honor to acknowledge the receipt of your extraordinary note of 9 A. M. In giving to your rank and position all the respect which is their due, I must call your attention to the fact that a reprimand can only come from the sentence of a court-martial and I shall accept nothing as such. You will also pardon me for observing that I

have some years been engaged in marching troops, and I think in experience of that kind, at least, I am your superior. Your accusation of dilatoriness on my part this morning or at any other time since I have been under your orders is not founded on fact, and your threat of relieving me does not frighten me in the least.

Your obedient servant,

WM. F. SMITH,
*Major-General.*

[**No. 74.** *See page* 694.]

June 21, 1864, 5.30 P. M.

GENERAL SMITH:

When a friend writes you a note is it not best to read it twice before you answer unkindly? If you will look at my note you will find that it contains no threat; on the contrary there are some words interlined, lest upon reading it over it might be possibly be so.

Please read the note again and see if you cannot wish the reply was not sent. Pardon me for saying in all sincerity that I never thought you in fault as to the movement, as I understood your orders to be as mine were.

Truly your friend,

B. F. BUTLER.

[**No. 75.** *See page* 695.]

HEADQUARTERS EIGHTEENTH ARMY CORPS,
IN THE FIELD, VA., June 21, 1864.

BRIGADIER-GENERAL RAWLINS:

*General:* — I have the honor to forward to you copies to correspondence to General Butler. I have no comments to make, but would respectfully request that I may be relieved from duty in the Department of Virginia and North Carolina.

Very respectfully your obedient servant,

WM. F. SMITH,
*Major-General.*

[**No. 76.** *See page* 695.]

CITY POINT, July 8, 1864.

MAJ.-GEN. W. F. SMITH,
COMMANDING EIGHTEENTH ARMY CORPS:

There will probably be no movements for a week or ten days, and you have permission to use this time to visit New York. Communicate this to General Butler with whom the lieutenant-general has spoken.

By command of Lieutenant-General Grant:

JOHN A. RAWLINS,
*Brigadier-General and Chief of Staff.*

[**No. 77.** *See page* 693.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
IN THE FIELD, May 21, 1864, 7 A. M.
(Received 10.35 A. M.)

MAJ.-GEN. H. W. HALLECK, CHIEF OF STAFF:

I fear there is some difficulty with the forces at City Point which prevents their effective use. The fault may be with the commander, and it may be with his subordinates. *General Smith, whilst a very able officer, is obstinate, and is likely to condemn whatever is not suggested by himself.* Either those forces should be so occupied as to detain a force nearly equal to their own, or the garrison and the intrenchments at City Point should be reduced to a minimum and the remainder ordered here. I wish you would send a competent officer there to inspect and report by telegram what is being done, and what in his judgment it is advisable to do.

U. S. GRANT,
*Lieutenant-General.*

[**No. 78.** *See page* 696.]

CITY POINT, VA., July 10, 1864, 1.30 P. M.
(Received 8.40 P. M.)

MAJ.-GEN. H. W. HALLECK, CHIEF OF STAFF:

General Orders No. 225 of July 7, 1864, would take the Eighteenth Corps from the Department of Virginia and North Carolina, and leave it a separate command, thus giving a third army in the field. As the Tenth Corps is also serving here, I would not desire this change made, but simply want General Smith assigned to the command of the Eighteenth Corps, and if there is no objection to a brigadier-general holding such a position, Gen. Wm. T. H. Brooks to the command of the Tenth Corps, leaving both these corps in the department as before, the headquarters of which is at Fortress Monroe. When the Nineteenth Corps arrives, I will add it to the same department. I will take the liberty of suspending this order until I hear again. I will ask to have General Franklin assigned to the active command in the field under General Butler's orders as soon as he is fit for duty.

U. S. GRANT,
*Lieutenant-General.*

[**No. 79.** *See page* 696.]

HEADQUARTERS ARMY OF THE UNITED STATES,
CITY POINT, July 19, 1864.

Special Orders No. 62.

. . . . . .

III. All troops of the Nineteenth Army Corps arriving at this point will report to Maj-Gen. B. F. Butler, commanding Department of Virginia and North Carolina at Bermuda Hundred for orders.

IV. Subject to the approval of the President, Maj.-Gen. W. F. Smith is relieved from the command of the Eighteenth Army Corps, and will pro-

ceed to New York City and await further orders. His personal staff wil accompany him. The corps staff of the Eighteenth Army Corps will report to Brig.-Gen. J. H. Martindale, temporarily commanding, for duty.[1]

[**No. 80.** *See page* 696.]

[*Copy.*]

College Point, L. I., July 30, 1864.

Hon. S. Foot:

*Dear Senator:* — I am extremely anxious that my friends in my native State should not think that the reasons of General Grant relieving me from duty was brought about by any misconduct of mine, and, therefore, I write to put you in possession of such facts in the case as I am aware of, and think will throw light upon the subject.

About the very last of June or the first of July, Generals Grant and Butler came to my headquarters and shortly after their arrival, General Grant turned to General Butler, and said: "That drink of whiskey I took has done me good," and then directly afterwards asked me for a drink. My servant opened a bottle for him and he drank of it, when the bottle was corked up and put away. I was aware at this time that General Grant had within six months pledged himself to drink nothing intoxicating, but did not feel it would better matters to decline to give it upon his request in General Butler's presence.

After the lapse of an hour or less the general asked me for another drink, which he took. Shortly after his voice showed plainly that the liquor had affected him and after a little time he left. I went to see him upon his horse, and as I returned to my tent, I said to a staff officer of mine, who had witnessed his departure: "General Grant has gone away drunk; General Butler has seen it and will never fail to use the weapon which has been put into his hands." Two or three days after that I applied for a leave of absence for the benefit of my health, and General Grant sent word to me not to go, if it were possible to stay, and I replied, in a private note, warranted by our former relations, a copy of which note I will send you in a few days. The next day the Assistant Secretary of War (Mr. Dana) came to tell me that he had been sent by General Grant to say what it becomes necessary to repeat in view of subsequent events, to wit: That he, General G., had written a letter the day before to ask that General Butler might be relieved from that department July 2, and I placed in command of it, giving as a reason that he could not trust General Butler with the command of troops in the movements about to be made, and saying also that next to General Sherman he had more confidence in my ability than in that of any general in the field. The order from Washington dated July 7, sent General B. to Fortress Monroe, and placed me in command of the troops, then under him, and General Grant said he would make the changes necessary to give me the troops in the field belonging to that department. I had only asked that I should not be commanded in battle by a man that could not give an order on the field, and I had recommended General Franklin or General

[1] This order was approved by the President in General Order No. 36, adjutant-general's office, July 28, 1864.

Wright for the command of the department. I was at the headquarters of General Grant on Sunday, July 10, and there saw General B., but had no conversation with him. After General B. had left, I had a confidential conversation with General Grant about changes he was going to make. In this connection it is proper to state that our personal relations were of the most friendly character. He had listened to and acted upon suggestions made by me upon more than one important occasion. I then thought and still think (whatever General Butler's letter writers may say to the contrary) that he knew that any suggestion I might make for his consideration would be dictated solely by an intense desire to put down this Rebellion, and not from any personal considerations personal to myself, and that no personal friendships had stood in the way of what I considered my duty with regard to military management, a course not likely to be pursued by a man ambitious of advancement. In this confidential conversation with General Grant, I tried to show him the blunders of the late campaign of the Army of the Potomac and the terrible waste of life that had resulted from what I considered a want of generalship in its present commander. Among other instances I referred to the fearful slaughter at Cold Harbor, on the 3d of June. General Grant went into the discussion defending General Meade stoutly, but finally acknowledged, to use his own words, "that there had been a butchery at Cold Harbor, but that he had said nothing about it because it could do no good." Not a word was said as to my right to criticise General Meade then, and I left without a suspicion that General Grant had taken it in any other way than it was meant, and I do not think he did misunderstand me.

On my return from a short leave of absence on the 19th of July, General Grant sent for me, to report to him, and then told me that he "could not relieve General Butler," and that as I had so severely criticised General Meade he had determined to relieve me from the command of the Eighteenth Corps and order me to New York City to await orders. The next morning the general gave some other reason, such as an article in the *Tribune* reflecting on General Hancock, which I had nothing in the world to do with, and two letters which I had written before the campaign began to two of General Grant's most devoted friends, urging upon them to try and prevent him from making the campaign he had just made. These letters, sent to General Grant's nearest friends, and intended for his eye, necessarily sprang from an earnest desire to serve the man upon whom the country had been depending, and these warnings ought to have been my highest justification in his opinion and, indeed, would have been, but that it had become necessary to make out a case against me. All these matters, moreover, were known to the general before he asked that I might be put in command of the Department of Virginia and North Carolina, and, therefore, they formed no excuse for relieving me from the command I held. I also submit to you that if it had been proven to him that I was unfitted for the command I then held, that that in no wise changed the case with reference to General Butler and his incompetency, and did not furnish a reason why he should not go where the President had ordered him at the request of General Grant, and that as General

Grant did immediately after an interview with General Butler suspend the order and announce his intention of relieving me from duty there, other reasons must be sought, different from any assigned, for this sudden change of views and action. Since I have been in New York, I have heard from two different sources (one being from General Grant's headquarters and one a staff officer of a general on intimate official relations with General Butler) that General Butler went to General Grant and threatened to expose his intoxication if the order was not revoked. I also learned that General Butler had threatened to make public something that would prevent the President's re-election. General Grant told me (when I asked him about General Butler's threat of crushing me) that he had heard that General Butler had made some threat with reference to the Chicago convention, which he (Butler) said "he had in his breeches pocket," but General Grant was not clear in expressing what the threat was. I refer to this simply because I feel convinced that the change was not made for any of the reasons that have been assigned, and whether General Butler has threatened General Grant with his opposition to Mr. Lincoln at the coming election, or has appealed to any political aspirations which General Grant may entertain, I do not know, but one thing is certain, I was not guilty of any acts of insubordination between my appointment and my suspension, for I was absent all those days on leave of absence from General Grant. I only hope this long story will not tire you, and that it will convince you that I have done nothing to deserve a loss of the confidence which was reposed in me.

Yours very truly,

WM. F. SMITH,
*Major-General.*

P. S. I have not referred to the state of things existing at headquarters when I left, and to the fact that General Grant was then in the habit of getting liquor in a surreptitious manner, because it was not relevant to my case; but if you think at any time the matter may be of importance to the country I will give it to you. Should you wish to write to me, please address care of S. E. Lyon, Jauncy Court, 39 Wall Street, N. Y.

WM. F. S.

[**No. 81.** *See page* 705.]

HISTORY OF THE SECOND ARMY CORPS BY FRANCIS A. WALKER, pp. 555, 556.

DEEP BOTTOM.

The terrible experiences of May and June in assaults on intrenched positions; assaults made, often, not at a carefully selected point, but "all along the line"; assaults made as if it were a good thing to assault, and not a dire necessity; assaults made without an adequate concentration of troops, often without time for careful preparation, sometimes even without examination of the ground — these bitter experiences had naturally brought about a reaction, by which efforts to outflank the enemy were to become the order of the day, so that the months of July and August were largely to be occupied in rapid movements, now to the right

and now to the left of a line thirty to forty miles in length, in the hope of somewhere, at some time, getting upon the flank of the unprepared enemy — the sentiment of headquarters, and perhaps the orders, being adverse to assaults. Unfortunately this change of purpose did not take place until the numbers and *morale* of the troops had been so far reduced that the flanking movements became, in the main, ineffectual from the want of vigor in attack, at the critical moments, when a little of the fire which had been exhibited in the great assaults of May would have sufficed to crown a well-conceived enterprise with a glorious victory. But that fire had for the time burned itself out; and on more than one occasion during the months of July and August, 1864, the troops of the Army of the Potomac, after an all-day or all-night march which had placed them in a position of advantage, failed to show a trace of that enthusiasm and *élan* which characterized the earlier days of the campaign. This result was not due to moral causes only. Physically the troops were dead-beat, from the exertions and privations of the preceding two months.

[**No. 82.** *See page* 715.]

[*Private.*]

HEADQUARTERS OF THE ARMY, WASHINGTON, July 3, 1864.

LIEUT.-GEN. U. S. GRANT, CITY POINT, VA.:

*General:* — Your note of the 1st instant in relation to General Butler is just received. I will, as you propose, await further advices from you before I submit the matter officially to the Secretary of War and the President. It was foreseen from the first that you would eventually find it necessary to relieve General B. on account of his total unfitness to command in the field, and his generally quarrelsome character. What shall be done with him, has therefore, already been, as I am informed, a matter of consultation. To send him to Kentucky would probably cause an insurrection in that State and an immediate call for large reinforcements. Moreover, he would probably greatly embarrass Sherman, if he did not attempt to supersede him by using against him all his talent at political intrigues and his facilities for newspaper abuse. If you send him to Missouri nearly the same thing will occur there. Although it might not be objectionable to have a free fight between him and Rosecrans, the government would be seriously embarrassed by the local difficulties and calls for reinforcements likely to follow. Inveterate as is Rosecrans' habit of continually calling for more troops, Butler differs only in demanding instead of calling. As things now stand in the West, I think we can keep the peace; but if Butler be thrown in as a disturbing element, I anticipate very serious results.

Why not leave General Butler in the local command of his department, including North Carolina, Norfolk, Fortress Monroe, Yorktown, etc., and make a new army corps of the part of the Eighteenth under Smith? This would leave B. under your immediate control, and at the same time would relieve you of his presence in the field. Moreover, it would save the necessity of organizing a new department. If he must be relieved entirely, I think it would be best to make a new department for him in New England.

I make these remarks merely as suggestions. Whatever you may finally determine on I will try to have done. As General B. claims to rank me, I shall give him no orders wherever he may go, without the special direction of yourself or the Secretary of War.

Yours truly,

H. W. Halleck,
*Major-General.*

[**No. 83.** *See page* 715.]

Headquarters, Aug. 13, 1864.

Major-General Birney,
Commanding Tenth Army Corps:

In accordance with verbal instructions heretofore given you upon consultation, you will take all the men that can, in your judgment, be spared from the lines between the Appomattox and the James, march across the pontoon bridge at Deep Bottom at such time as will enable you to strike the enemy in front of Brigadier-General Foster in the most feasible form, on the morning of the 14th. You will take such portion of General Foster's command and add it to your own as you think will be prudent. As you are to advance, leaving Deep Bottom behind you, in my judgment a small force will be necessary. You will turn over the command of the line of defences to Brigadier-General Turner, instructing him what troops you have left for that purpose. I shall be able to add from the dismounted cavalry, and from Graham, possibly, eight hundred men. You may order such portion of the garrison of Fort Converse as you think can be spared at present,— perhaps you can draw largely. I forbear giving instructions in writing because the details have already been arranged between us personally.

You will report to Major-General Hancock, who will be at Deep Bottom in the course of the night. Any other instructions that you may desire from me will be promptly met by telegraph.

Very respectfully,

Benj. F. Butler,
*Major-General Commanding.*

[**No. 84.** *See page* 753.]

[*Cipher.*]

City Point, Va., Nov. 1, 1864, 3.30 p. m.

Major-General Butler, Fortress Monroe:

I am just in receipt of despatch from Secretary of War, asking me to send more troops to the city of New York, and if possible, to let you go there until after the election. I wish you would start for Washington immediately and be guided by orders from there in the matter.

U. S. Grant,
*Lieutenant-General.*

[**No. 85.** *See page* 754.]

WAR DEPARTMENT, WASHINGTON CITY, Nov. 2, 1864.

MAJOR-GENERAL BUTLER:

*General:*—You will please proceed immediately to New York and report to Major-General Dix for temporary duty in the Department of the East, and for assignment to the command of the troops in the harbor and city of New York that may be forwarded by General Grant's orders.

By order of the Secretary of War:

E. D. TOWNSEND,
*Assistant Adjutant-General.*

[**No. 86.** *See pages* 755 *and* 768.]

WASHINGTON, D. C., Nov. 2, 1864 [Received 1 P. M.].

LIEUTENANT-GENERAL U. S. GRANT, CITY POINT, VA.:

I am here in obedience to your order. Am ordered to report in New York to General Dix. From the state of things, as I can learn them, we should have at least five thousand good troops, and at least two batteries of Napoleons. There is necessity for haste in getting them off. They can easily be spared from the Tenth and Eighteenth corps. A show of force may prevent trouble. I have directed the quartermaster at Fortress Monroe to have ready all transportation there, making use of that provided for Colonel Mulford except the Atlantic and Baltic. I would desire that the particular brigades or regiments to be sent should be left to the selection of Generals Terry and Weitzel. They will have ample enough to hold their lines after reliable troops are sent to me. Shall leave to-night for New York, Fifth Avenue Hotel.

BENJ. F. BUTLER,
*Major-General.*

[*Cipher.*]

CITY POINT, VA., Nov. 2, 1864, 5 P. M.

MAJOR-GENERAL TERRY:

Send a good large brigade of infantry with two batteries of Napoleon guns to report to General Butler at New York at once. If you have Western troops, they will be preferable. Answer what troops you send.

U. S. GRANT,
*Lieutenant General.*

[*Cipher.*]

WASHINGTON, D. C., Nov. 2, 1864 [Received 1 P. M.].

MAJOR-GENERAL TERRY,
HEADQUARTERS TENTH ARMY CORPS, NEAR VARINA, VA.,
IN THE FIELD NEAR RICHMOND:

You will be ordered to send troops to me at New York. Select those which are reliable. Confer with Weitzel. It may become necessary to make composite brigades. Great activity in getting them off will be required. They are to be going to Wilmington.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 87.** *See page* 758.]

NEW YORK, Nov. 8, 1864.

MAJOR-GENERAL BUTLER, COMMANDING CITY OF NEW YORK:

*Sir:* — By one of my detectives, corroborated by a member of the staff of Major-General Sandford, I learn that no arms or ammunition have been sent from the State arsenal in 7th Avenue, into the interior of the State, since July last, when a large quantity of both were transferred to the custody of Gen. John C. Greene.

I also learn, by same authority, that there are now in the arsenal, four twelve-pound howitzers, and about eighteen hundred stand of arms, with but a small quantity of ammunition.

The arms enumerated include those just deposited by the Seventy-Seventh Regiment National Guard, who have been on duty at Elmira for one hundred days, but are not regarded as very reliable.

There are no packages of any kind in the arsenal to denote an intention to remove anything more.

I also learn that the Seventh National Guards have six four-pound howitzers with about one thousand stand of arms at their armory, Tompkins' Market.

That the Twenty-Second N. G. have two twelve-pound howitzers, one thousand Enfield rifles (their private property), and ten thousand ball cartridges at their armory, Palace Garden, 14th Street.

Very respectfully,

JOHN A. KENNEDY,

*Superintendent.*

[**No. 88.** *See page* 758.]

HEADQUARTERS, CITY OF NEW YORK, Nov. 7, 1864.

HON. E. M. STANTON, SECRETARY OF WAR:

*Sir:* — I beg leave to report that the troops detailed for duty here have all arrived and dispositions made which will insure quiet.

I enclose a copy of my order and I trust it will meet your approbation. I have done all I could to prevent the secessionists from voting and think have had some effect.

I think I may be able to punish some of the rascals for their crimes after election.

All will be quiet here. The State authorities are sending from the arsenal in New York arms and ammunition to Mr. John A. Green, brigadier-general at Buffalo, and I am powerless to prevent it.

This is what I mean by wanting "territorial jurisdiction." I am in command of troops solely. It is none of my business to prevent arms and ammunition being sent to Buffalo.

This is one of the dozen cases wherein I cannot act without colliding with General Dix and the State authorities both.

I have not landed any of my men save those I have sent to Buffalo, which are two (2) regiments of regulars and one hundred (100) men at Watervliet for Albany. Now these regiments report to General Peck, but Peck does not report to me. He has some regulars besides those arriving and to arrive.

That is another instance of what is meant by wanting "territorial jurisdiction."

I have three (3) batteries on ferry-boats all harnessed up ready to land at a moment's notice at any slip on North or East River; gunboats covering Wall Street and the worst streets in the city, and a brigade of infantry ready to land on the battery, and the other troops placed where they can be landed at once in spite of barricades or opposition. A revenue cutter is guarding the cable over the North River and a gunboat covers High Bridge on Harlem River which is the Croton aqueduct.

I have given you these details so that you may understand the nature of my preparations, and perhaps the details may be interesting and of use at some other time.

I propose, unless ordered to the contrary by you, to land all my troops on the morning of election in the city. I apprehend that, if at all, there will be trouble then. I have information of several organizations that are being got ready under General Porter, Duryea, and Hubert Ward, disaffected officers, and others who are intending, if the elections are close, to try the question of inaugurating McClellan, and will attempt it, if at all, by trying how much of an *emeute* can be raised in New York City for that purpose. They propose to raise the price of gold so as to affect the necessaries of life and raise discontent and disturbance during the winter, declare then that they are cheated in the election by military interference and fraudulent ballots, and then inaugurate McClellan.

Now, that there is more or less truth in this information I have no doubt. One thing is certain, that the gold business is in the hands of a half dozen firms who are all foreigners or secessionists, and whose names and descriptions I will give you.

You are probably aware that the government has sold ten (10) or twelve millions (12,000,000) of gold within the past twenty days. The Secretary of the Treasury will tell you how much, it is none of my business to know; but one firm, H. J. Lyons & Co., have bought and actually received in coin, by confession to me, more than ten millions (10,000,000) within the past fortnight, and his firm is now carrying some three millions (3,000,000) of gold. I felt bound to look up the case of Gentlemen H. J. Lyons & Co. I sent for Lyons, although I suppose I had no right to do so, wanting territorial jurisdiction, set him down before me, and examined him. His story is, as I made him correct it by appealing to my own investigations, as follows: His firm consists of himself, his brother, and the president of the Jeffersonville Railroad, Indiana. He is from Louisville; left there when Governor Morehead was arrested; went to Nashville; left there just before the city was taken by the Union troops; went to New Orleans; left there just before the city was taken; went to Liverpool; left there; went to Montreal and went into business; stayed in Montreal until last December; came here with his brother younger than himself, and set up the broker's business. He claims to have had a capital in greenbacks of eighty thousand (80,000) dollars, thirty thousand (30,000) put in by himself, ten thousand (10,000) by his brother, and forty thousand (40,000) by the other partner. This in greenbacks equal now at two forty-five (2–45) to about thirty thousand (30,000) dollars in gold. On

this capital he was enabled to buy and pay for, not as balances, but actually in currency, almost twelve millions (12,000,000) of dollars in gold within the last fortnight, and now is carrying about three millions (3,000,000). This shows that there is something behind him.

He confessed that he left Louisville afraid of being arrested for his political offences. During the cross-examination, he confessed he was agent for the People's Bank of Kentucky, a secession concern which is doubtless an agent for Jeff Davis. Having no territorial jurisdiction, all I could do was to set before him the enormity of his crime, the danger he stood, having forfeited his life by rebellion to the government, and to say to him that I should be sorry if gold went up any to-day, because, as he was so large an operator, I should have cause to believe that he was operating for some political purpose, but that this was a free country and I had no right to control him. Does the Secretary of War suppose that, if I had an actual and not an emasculated command in the city of New York, such a rascal would have left my office without my knowing where to find him? He said, indeed, when he went out, that he thought he should not buy gold any more, and sell to-day all he has. It has got noised around a little that we are looking after the gold speculators, and gold has not risen any to-day up to five (5) o'clock, the time at which I am now writing, although Mr. Belmont's bet is that it would be at three hundred (300) before election, and the treasury is not selling.

Now, what I desire is to spend about a week in which I will straighten the following firms, which are all the men that are actually buying gold:

H. J. Lyons & Co., before spoken of; Vickers & Co., of Liverpool, an English house; H. G. Fant, of Washington; H. T. Suit, Washington house; Hallgarten & Heryfield, a Baltimore house of German Jews; and also to see if some of the rebels that are here cannot be punished. Substantially, none of them registered under General Dix's order.

I have stated all the reasons why I desire to be here. It is respectfully submitted to the Secretary of War, if I am desired to do anything at all, to telegraph me what I shall do, and it shall be done, or please let me return in the front. I have the honor to be, very respectfully,

Your obedient servant,

BENJ. F. BUTLER,

*Major-General.*

WAR DEPARTMENT, WASHINGTON CITY, NOV. 9, 1864.

MAJOR-GENERAL BUTLER:

*General:*—Your communication of day before yesterday has been submitted to the President who has directed the Secretary of the Treasury to be conferred with on that part which relates to the gold conspirators. Your views have been explained to the Secretary of the Treasury and when his opinion is received instructions will be sent to you by telegraph.

Your obedient servant,

EDWIN M. STANTON,

*Secretary of War.*

[**No. 89.** *See page* 738.]

HEADQUARTERS, CITY OF NEW YORK, Nov. 5, 1864.

General Order No. 1.

In obedience to the orders of the President and by the assignment of Major-General Dix commanding Department of the East, Major-General Butler assumes command of the troops arriving and about to arrive, detailed for duty in the State of New York to meet existing emergencies.

To correct misapprehension; to soothe the fears of the weak and timid; to allay the nervousness of the ill-advised; to silence all false rumors circulated by bad men for wicked purposes, and to contradict once and for all false statements adapted to injure the government in the respect and confidence of the people—the commanding general takes occasion to declare that troops have been detailed for duty in this district sufficient to preserve the peace of the United States; to protect public property; to prevent and punish incursions into our borders, and to insure calm and quiet.

If it were not within the information of the government, that raids like in quality and object to that made at St. Albans were in contemplation, there could have been no necessity for precautionary preparations.

The commanding general has been pained to see publications by some not too well informed persons, that the presence of the troops of the United States might by possibility have an effect upon the free exercise of the duty of voting at the ensuing election. Nothing could be further from the truth.

The soldiers of the United States are specially to see to it that there is no interference with the election of anybody unless the civil authorities are overcome with force by bad men.

The armies of the United States are "ministers of good and not of evil." They are safeguards of constitutional liberty which is *freedom to do right, not wrong.* They can be a terror to evil-doers only, and those who fear them are accused by their own consciences.

Let every citizen having a right to vote, do according to the inspiration of his own judgment freely. He will be protected in that right by the whole power of the government if it shall become necessary.

At the polls it is not possible exactly to separate the illegal from the legal vote —"the tares from the wheat"; but it is possible to detect and punish the fraudulent voter after the election is over.

Fraudulent voting in pre-election of United States officers is an offence against the peace and dignity of the United States.

Every man knows whether he is a duly qualified voter, and he who votes, not being qualified, does a grievous wrong against light and knowledge.

Specially is fraudulent voting a deadly sin and heinous crime deserving condign punishment in those who having rebelliously seceded from and repudiated their allegiance to this government when at their homes in the South, now having fled here for asylum, abuse the hospitality of the State and clemency of the government by interfering in the election of our rulers. It will not be well for them to do so.

Such men pile rebellion upon treason, breach of faith upon perjury, and forfeit the amnesty accorded them.

There can be no military organization in any State, known to the laws, save the militia united and armies of the United States.

The President is the constitutional commander-in-chief of the militia and army of the United States; therefore, where in any portion of the United States an officer of superior rank is detailed to command, all other military officers in that district must.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 90.** *See page* 762.]

UNITED STATES TREASURY, NEW YORK, Nov. 5, 1864.

*My Dear General:*—I want to see you at your earliest convenience, in relation to a matter affecting the best interests of the government, and in regard to which I can better confer with you here than elsewhere. Please let me know by bearer if you can grant me an interview.

With great respect, yours, etc.,
JOHN A. STEWART,
*Assistant Treasurer United States.*

MAJOR-GENERAL BUTLER.

[**No. 91.** *See page* 768.]

HARRISBURG, Nov. 7, 1864.

How long, my dear General, will you remain in New York? Will you stop in Philadelphia, or what would be better, can't you come this way? It is quite as near from New York to Washington.

I go to Philadelphia Thursday and if I cannot see you there or here I will go to you.

It is my private opinion that Stanton is to go on the march, and you should take his flank.

We will carry the State handsomely. Will telegraph you Wednesday morning.

Your friend,
SIMON CAMERON.

MAJOR-GENERAL BUTLER.

[**No. 92.** *See page* 768.]

Nov. 8, 1864.

HON. SIMON CAMERON:

*My Dear Sir:*—I may be here some days, certainly till after Wednesday. If you could come here then and come to the Hoffman House (my headquarters), I could make you very comfortable, and would be glad to see you. All is quiet here. The only thing we have to watch after election will be the gold operators who intend to run up the price till they can so affect the price of food and necessaries as to raise discontent amongst the laboring classes.

Yours truly,
BENJ. F. BUTLER.

[**No. 93.** *See page* 769.]

PHILADELPHIA, Nov. 11, 1864.

*Dear General:*— I will be in New York Saturday noon at the Astor. Will you please call there or drop me a note, and say where I shall call on you.

SIMON CAMERON.

GENERAL BUTLER.

[**No. 94.** *See page* 770.]

No. 57 WEST WASHINGTON PLACE,
NEW YORK, Nov. 19, 1864.

*General:*—Supposing it possible that it may be of interest to you and the public service to know that the quite considerable interest here who are unfriendly to your further advancement, are circulating most industriously a rumor that you do not want to be Secretary of War, that your ambition lies in some other direction, etc., I tell you that such is the case.

Gen. P. M. Wetmore came to me yesterday to ask if you would accept if appointed, saying he knew it would receive the support of every newspaper worth having, in New York, and that it was rumored you did not wish the appointment.

An army influence here (regulars) is industriously circulating the rumor that you would not accept, and they say you could have the appointment if it was known at Washington you wanted it; but it is said to be the opinion there that you would not accept.

Your obedient servant,

EDWARD W. SERRELL.

MAJOR-GENERAL BUTLER.

[**No. 95.** *See page* 770.]

CITY POINT, VA., Nov. 10, 1864, 10.30 P. M.

HON. EDWIN M. STANTON, SECRETARY OF WAR:

Enough now seems to be known to say who is to hold the reins of government for the next four years. Congratulate the President for me for the double victory. The election having passed off quietly, no bloodshed or riot throughout the land, is a victory worth more to the country than a battle won. Rebeldom and Europe will so construe it.

U. S. GRANT,
*Lieutenant-General.*

WASHINGTON, Nov. 10, 1864, 2 P. M.
(Received City Point, Nov. 10, 1864, 2.45 P. M.)

LIEUTENANT-GENERAL GRANT:

Orders have been made requesting the immediate return of all troops to the field, and the utmost diligence of the department will be directed to that object. General Dix reports that all of Butler's troops except five hundred regulars can return. A copy of his despatch is given. Before ordering Butler back, I will wait a day until the New York election be more definitely ascertained.

E. M. STANTON,
*Secretary of War.*

[Inclosure.]

HON. E. M. STANTON, SECRETARY OF WAR:

The triumph and election of the President, and the indications of a quiet acquiescence in the result, renders unnecessary to detain here the troops under the command of General Butler, with the exception of about five hundred regulars now in the interior of New York, under General Peck. These I should like to detain about a week. As no exigency exists in this department requiring the rest to be kept longer away from the Army of the Potomac, I deem it my duty to advise you promptly that the necessary orders may be given for their return.

JNO. A. DIX,
*Major-General.*

[**No. 96.** *See page* 770.]

[*Cipher.*]

HOFFMAN HOUSE, NEW YORK, Nov. 11, 4.05.

COLONEL TOWNSEND, A. GENERAL, WASHINGTON:

Telegram received. The troops shall be embarked as soon as transportation can be had. Have sent for the regulars who are on the borders. Your telegram gives me no orders. I have some private business which will detain me till Monday. Will the secretary allow my stay?

BENJAMIN F. BUTLER,
*Major-General Commanding.*

BY TELEGRAM FROM WASHINGTON, Nov. 11, 1864.

MAJOR-GENERAL BUTLER:

Your telegram of this date to General Townsend has just been brought to my house.

General Grant is urgent for the return of your troops quickly.

The order contemplated your return with them, and if not specified on the official telegraph was omitted by the inadvertence of the adjutant-general.

You have leave to remain till Monday if you desire to do so.

(Signed) E. M. STANTON,
*Secretary of War.*

[**No. 97.** *See page* 779.]

WASHINGTON, Dec. 1, 1864.

MAJOR-GENERAL BUTLER:

Telegram received. One hundred tons mining powder was sent from New York and Boston between the 24th and last of November to Captain Edson at Fortress Monroe, who is ordered to hold the same subject to your order; fifty tons will leave New York in a day or two.

A. B. DYER,
*Chief of Ordnance.*

[**No. 98.** *See page* 780.]

HEADQUARTERS ARMY OF THE JAMES,
IN THE FIELD, Nov. 30, 1864.

ADMIRAL PORTER:

Brigadier-General Wild will hand you this note, and brings also orders to General Palmer about the matter of which we were speaking. Please give him an order, to be transmitted through him to the commander of your naval forces in the sound, to co-operate in the fullest extent with General Palmer, and to move with all promptness and celerity.

General Wild will show you the orders, which are unsealed for that purpose, which he takes to General Palmer.

If anything occurs to you which I have not covered in my instructions, please telegraph me, and I will reach General Wild by telegraph before he reaches Fortress Monroe.

I have the honor to be, very respectfully, your obedient servant,

BENJAMIN F. BUTLER,
*Major-General Commanding.*

[**No. 99.** *See page* 780.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
CITY POINT, Nov. 30, 1864.

MAJOR-GENERAL BUTLER:

I have files of Savannah and Augusta papers by Colonel Mulford, from which I gather that Bragg has gone to Georgia, taking with him, I judge, most of the forces from about Wilmington. *It is, therefore, important that Weitzel should get off during his absence;* and if successful in effecting a landing he may, by a bold dash, succeed in capturing Wilmington. Make all the arrangements for his departure so that the navy may not be detained one moment for the army. Did you order Palmer to make the move proposed yesterday? It is important that he should do so without delay.

U. S. GRANT,
*Lieutenant-General.*

[**No. 100.** *See page* 780.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
CITY POINT, VA., Dec. 4, 1864.

MAJOR-GENERAL BUTLER:

I feel great anxiety to see the Wilmington expedition off, both on account of the present fine weather, which we can expect no great continuance of, and because Sherman may now be expected to strike the sea coast at any day, leaving Bragg free to return. I think it advisable for you to notify Admiral Porter, and get off without delay, with or without your powder-boat.

U. S. GRANT,
*Lieutenant-General.*

[**No. 101.** *See page* 780.]

[*Cipher.*]

DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
Dec. 4, 1864.

ADMIRAL PORTER:

When can you be ready with our little expedition? Captain Edson, ordnance officer at Fortress Monroe, will put ordnance stores at your disposal. Time is valuable from the news we get.

BENJAMIN F. BUTLER,
*Major-General Commanding.*

[**No. 102.** *See page* 780.]

NORFOLK, Dec. 4, 1864.

MAJOR-GENERAL BUTLER:

We are ready for the one hundred and fifty (150) tons of powder. Will you give directions to have it bagged ready to go on board?

D. D. PORTER,
*Rear-Admiral.*

[**No. 103.** *See page* 780.]

[*Cipher.*]

Dec. 5, 1864, 11.20 A. M.

CAPTAIN EDSON:

Please have at once all the powder of which I spoke to you put in sand bags or flour sacks ready for shipment. You will see Admiral Porter on the subject, and will get the bags of the engineer department at Fortress Monroe. If not, notify me by telegram.

BENJAMIN F. BUTLER,
*Major-General Commanding.*

[**No. 104.** *See page* 780.]

FORTRESS MONROE, Dec. 5, 1864, 4 P. M.

MAJOR-GENERAL BUTLER:

I am all ready, and shall call on the ordnance officer at Fortress Monroe for material.

D. D. PORTER,
*Rear-Admiral.*

[**No. 105.** *See page* 780.]

[*Cipher.*]

Dec. 6, 1864.

ADMIRAL PORTER:

What day can we start for the fort? I wish not to keep troops on board transports a day longer than possible, as it will take some days to reach "Savannah"[1] any way. Is there anything I can aid you in?

BENJAMIN F. BUTLER,
*Major-General Commanding.*

[1] The word Savannah was used in place of Wilmington, lest the telegram should fall in wrong hands.

[**No. 106.** *See page* 780.]

[*Cipher.*]

FORTRESS MONROE, Dec. 6, 1864, 9.30 P. M.

MAJOR-GENERAL BUTLER:

Your telegram is received. The vessels to carry the ammunition will be ready in the morning completely filled. The ordnance officer here at Fortress Monroe is doing everything he can to expedite matters. Most of our ammunition is here, and will commence loading up to-morrow. I will report perhaps to-morrow evening so that you can make your calculation when to embark. I think I can by to-morrow tell you within an hour when we can be ready. We are ready in every other respect.

D. D. PORTER,
*Rear Admiral.*

[**No. 107.** *See page* 783.]

Dec. 6, 1864.

GENERAL TURNER:

When will Ames' corps be moved out of here? Will there be any others to supply their place, or shall I fill the gap by extending the first division to the left and the third to the right?

A. F. TERRY,
*Brevet Major-General.*

[**No. 108.** *See page* 784.]

CITY POINT, Dec. 6, 1864.

MAJOR-GENERAL BUTLER:

A movement will commence on the left to-morrow morning. Make immediate preparations so that your forces can be used north of the river if the enemy withdraw, or south if they should be required. Let all your men have two (2) days' cooked rations in haversacks. During to-morrow night withdraw to the left of your line at Bermuda the force you propose sending south, unless otherwise ordered. It will be well to get ready as soon as you can to blow out the end of the canal.

U. S. GRANT,
*Lieutenant-General.*

[**No. 109.** *See page* 784.]

Dec. 7, 1864, 11.05 P. M.

GENERAL TURNER, CHIEF OF STAFF:

We have here now the following boats [giving the name of vessels that had been furnished him]. These boats will carry seven thousand men, leaving space for ambulances, etc.

GEORGE S. DODGE,
*Colonel, etc.*

[**No. 110.** *See page* 784.]

Dec. 7, 1864.

COLONEL DODGE:

The Baltic is at Annapolis. Get her; we shall need her.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 111.** *See page* 784.]

[*Cipher.*]

Dec. 7, 1864.

LIEUTENANT-GENERAL GRANT:

General Weitzel's command is encamped at Signal Tower near Point of Rocks, and awaits orders. Admiral Porter telegraphs that he will be ready by to-morrow.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 112.** *See page* 784.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
CITY POINT, VA., Dec. 7, 1864.

MAJOR-GENERAL BUTLER:

Let General Weitzel get off as soon as possible. I don't want the navy to wait an hour.

U. S. GRANT,
*Lieutenant-General.*

[**No. 113.** *See page* 785.]

Dec. 7, 1864, 9 P. M.

MAJOR-GENERAL WEITZEL:

You will embark your command and get off to Fortress Monroe as soon as possible after daylight to-morrow morning.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 114.** *See page* 785.]

BERMUDA, Dec. 8, 1864, 9.15 A. M.

MAJOR-GENERAL BUTLER:

I am here embarking the troops in case you should have anything to communicate.

GODFREY WEITZEL,
*Major-General.*

[**No. 115.** *See page* 785.]

FORTRESS MONROE, Dec. 10, 1864, 11.45 A.M.

LIEUTENANT-GENERAL U. S. GRANT, CITY POINT:

Has been blowing a gale ever since we arrived. Is clearing up a little. We are all ready waiting for the navy.

Any news from Warren or Sherman?

BENJ. F. BUTLER,
*Major-General.*

[**No. 116.** *See page* 786.]

NORTH ATLANTIC SQUADRON, UNITED STATES FLAG-SHIP MALVERN,
HAMPTON ROADS, Dec. 13, 1864.

MAJ.-GEN. B. F. BUTLER:

*General:* — The rest of the fleet will leave here in three hours, and will proceed to the rendezvous twenty-five miles east of Cape Fear River.

The powder vessel will go to Beaufort and take ninety tons of powder I had there. I shall follow and communicate with you after she leaves

Beaufort for her destination. I think the Louisiana will carry the three hundred tons. She has now two hundred on board, and room for two hundred more, though that would sink her too deep. She has delayed us a little, and our movements had to depend on her.

Very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*

[**No. 117.** *See pages* 787 *and* 807.]

NORTH ATLANTIC SQUADRON, U. S. FLAG-SHIP MALVERN,
OFF BEAUFORT, N. C., Dec. 16, 1864.

MAJ.-GEN. B. F. BUTLER,
COMMANDING DEPARTMENT VIRGINIA AND NORTH CAROLINA:

*General:*—I take advantage of the tug Du Pont, going out, to write you a few lines.

I think all the vessels will leave here to-morrow morning for the rendezvous, and if the weather permits, I think we will be able to blow up the vessel by the next night. In talking with engineers, some of them suggested that even at twenty-five miles the explosion might affect the boilers of steamers, and make them explode if heavy steam was carried; and I would advise that before the explosion takes place, of which you will be duly notified, the steam be run down as low as possible, and the fires drawn.

I hear the rebels have only a small garrison at the forts at New Inlet. I don't know how true it is.

Very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[1]

[**No. 118.** *See page* 787.]

NORTH ATLANTIC SQUADRON, U. S. FLAG-SHIP MALVERN,
AT SEA, Dec. 18, 1864.

MAJ.-GEN. B. F. BUTLER:

*General:*—The powder vessel Louisiana has gone in to attempt the explosion. The weather looks threatening; the wind may haul to the west, but it is not likely. The barometer is high yet, though the weather does not please me.

. . . . . .

The powder vessel is as complete as human ingenuity can make her — has two hundred and thirty-five tons of powder, all I could get, though she would not have carried much more.

I propose standing in, the moment the explosion takes place, and open fire with some of the vessels at night, to prevent the enemy repairing damages, if he has any.

. . . . . .

Very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*

[1] Report of the Committee on the Conduct of the War, Fort Fisher Expedition, p. 18.

[**No. 119.** *See page* 788.]

TESTIMONY OF MAJ.-GEN. GODFREY WEITZEL.[1]

When Captain Breese came on board he stated to General Butler that the powder-boat would be exploded at twenty minutes after nine o'clock that night, and that the fleet would stand in at daylight. General Butler at once objected to that, saying that if the powder vessel was exploded so early in the night, all the advantage got would be lost entirely. If it had any effect either in injuring the works or the guns, or stunning the garrison, there would be ample time, before the proposed attack of the navy, for the enemy to recover from it. This was my opinion, and also the opinion of Colonel Comstock, of General Grant's staff, very forcibly expressed.

[**No. 120.** *See page* 788.]

TESTIMONY OF BREV. BRIG.-GEN. C. D. COMSTOCK.[2]

After we had spent those three days of good weather off New Inlet in perfect readiness to make the attack if the navy had been ready, in the afternoon of the third day Admiral Porter arrived. He ordered the powder-boat to be taken in and exploded that night. But the wind blew so in the afternoon that it seemed to us impossible to land the troops, and General Weitzel and myself went to Admiral Porter and requested that he should postpone sending in the powder-boat until the water should be smooth enough to enable us to go in and land the troops. He, therefore, sent in discretionary orders to the officer in charge of the powder-boat not to explode it until we could land. The next day the wind blew strongly; our transports had got short of coal and water, and we were forced to go into Beaufort. I was informed by a naval officer remaining there, that while we were gone there was no time when a landing of troops could have been effected, it was so rough; that it was one steady severe gale.

On the 23d of December General Butler sent an officer of his staff to Admiral Porter to inform him that we should be ready to start the next morning. This officer saw Admiral Porter and returned, not getting back until the morning of the 24th. He brought a message from Admiral Porter that the powder-boat would be exploded at one o'clock that morning.

[**No. 121.** *See page* 790.]

NORTH ATLANTIC SQUADRON, U. S. FLAG-SHIP MALVERN,
BEAUFORT, N. C., Jan. 9, 1865.

HON. GIDEON WELLES, SECRETARY OF THE NAVY,
WASHINGTON, D. C.:

*Sir:*— . . . The military part of the expedition was got up in a most unmilitary manner; the troops were placed in inferior transports that could not condense water, and had a short allowance only on hand; the troops had four days' cooked rations (which were eaten up while lying in the storm at Hampton Roads) and ten days' other rations; there were

[1] Report of the Committee on the Conduct of the War, No. 5, p. 70.
[2] Report of the Committee on the Conduct of the War, Fort Fisher Expedition, p. 83.

no intrenching tools of any kind, no siege guns; the whole proceeding indicated that the general depended on the navy silencing the works, and he walking in and taking possession. . . .

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[1]

[**No. 122.** *See page* 790.]

OFF BEAUFORT, N. C., Dec. 20, 1864, 10.30 A.M.

LIEUT.-GEN. U. S. GRANT:

*General:* — I have the honor to report that the troops under the command of Major-General Weitzel left Fortress Monroe, as I informed you, on Wednesday, the 14th, and got off Cape Henry at 4 P. M., and arrived the next afternoon at the place of rendezvous designated by Rear-Admiral Porter. Admiral Porter left with the naval squadron the day previous, and as soon as possible after the storm.

We were exceedingly fortunate in our weather, and lay off New Inlet on Friday, Saturday, and Sunday in very smooth water and pleasant weather. The admiral arrived on Sunday evening from Beaufort, having been detained there from Wednesday night for reasons presumed to be satisfactory.

Sunday night the wind freshened, so that it would be impossible to land troops on the outside near Fort Fisher.

The admiral was desirous to explode the torpedo vessel that night at 10 o'clock, and attack the next morning with the fleet, although we might not be able to land. I sent General Weitzel with Colonel Comstock, who agreed with me in opinion, that as the navy did not propose to run by the fort into the river, whatever might be the effect of the explosion, it would be useless unless the troops could be landed to seize the point, and it would specially be inexpedient to explode the torpedo at that hour, giving eight hours for the enemy to repair damages, before the attack even by the fleet was made.

The admiral, upon these representations, countermanded his orders which had been given for the explosion, and we have waited until now for a smooth sea. Last evening I received a telegram from the admiral by signal, saying that the sea was so rough that it would not be possible to land this morning, whereupon I steamed to this port, where I am coaling my ship, and shall return this afternoon.

Very respectfully yours,

BENJ. F. BUTLER,
*Major-General.*

[**No. 123.** *See page* 792.]

TESTIMONY OF BREV. BRIG.-GEN. C. D. COMSTOCK.[2]

*Question.*—Did you find any difficulty when you attempted to land the troops?

*Answer.*—It was easy enough when we commenced to land them. But in the afternoon the wind rose, and by eight o'clock that night it was diffi-

[1] Report of the Committee on the Conduct of the War, No. 5, p. 177.
[2] Report of the Committee on the Conduct of the War, Fort Fisher Expedition, p. 84.

cult to land the troops, and by ten or twelve o'clock that night it was impossible to land troops there.

*Q.* You did not land all your troops?

*A.* No, sir.

*Q.* About what portion did you land?

*A.* I have nothing official in regard to that, but my opinion is that there were about twenty-three hundred landed.

*Q.* How many troops altogether were with the expedition?

*A.* About sixty-five hundred.

[**No. 124.** *See pages* 794 *and* 810.]

STATEMENT OF H C. WHITING.[1]

. . . . . .

*Q.* 7. How near did the powder-boat which exploded come to the fort?

*A.* Between twelve (12) and fifteen hundred (1,500) yards, not nearer.

*Q.* 8. Were you in the fort at that time?

*A.* I was not.

*Q.* 9. Was the powder-boat observed; and if so, what, if any, was the effect of the explosion?

*A.* Powder-boat was observed and reported at midnight aground and set on fire. Explosion reported at 12.45 A. M. No effect at all on the fort. Explosion heard plainly in Wilmington. When I telegraphed Colonel Lamb to know what it was, he replied, "Enemy's gunboat blown up."

. . . . . .

*Q.* 11, 12, 13. What was the effect of the naval fire of the first day upon the fort?

How many and what guns did it dismount or disable?

Please state whether any part, and if so, how much of the damage done to the fort by the fire of the navy was repaired during the night?

*A.* Casualties first day: Killed, none; wounded, one (1) mortally, three (3) severely, and nineteen (19) slightly; total, 23. Five (5) gun-carriages disabled.

Second day: Killed, three (3); wounded, nine (9) mortally, six (6) severely, and twenty-eight (28) slightly; total, 46. Damage but very slight; one (1) 10-inch, two (2) 32-pounder, and one (1) 8-inch carriages disabled, and one (1) 10-inch gun disabled. Damage repaired at night. Enemy's fire formidable and sustained, but diffuse, unconcentrated. Apparent design of the fleet to silence the channel batteries, in order to force an entrance with his vessels, and not to attack by land. The garrison was in no instance driven from its guns, and fired in return, according to orders, slowly and deliberately, six hundred and sixty-two (662) shot and shells.

*Q.* 14. By reason of the cessation of the bombardment at night, were you not able to rest and recruit your garrison?

*A.* We were able to do both. . . .

[1] Report of the Committee on the Conduct of the War, Fort Fisher Expedition, p. 106.

*Q.* 17. At the time our skirmish line was deployed before the fort, what was the condition of the guns and defences upon the land side, as to efficiency for a defensive purpose?

*A.* The guns and defences on the land front were in perfect order at the time referred to, except two (2) disabled guns on the left; nineteen guns in position, palisade in perfect order, and the mines the same, the wires not having been cut.

*Q.* 18. In view of the condition of the fort and its garrison, would it have been possible, with ither three (3) or six (6) thousand men, to have taken the work by assault? (Note. In answering this question, please give as many of the details for the reason you may give as possible.)

*A.* Possible, yes. Probable, no. The work was very strong, the garrison in good spirits and ready; and the fire on the approaches (the assaulting column having no cover) would have been extraordinarily heavy. In addition to the heavy guns, I had a battery of Napoleons, on which I placed great reliance. The palisade alone would have been a most formidable obstacle.

*Q.* 19. Please state whether with a force holding the beach, from the nature of the ground and from the configuration of the channel of Cape Fear River, it would have been possible for the Confederates to have reinforced or provisioned the fort to any extent?

*A.* No difficulty at all by the river. . . .

*Q.* 21. In view of the condition of the weather immediately following the demonstration of the 25th of December, and in view of the force that might have concentrated upon the peninsula, as well above as below the place of landing, would it, in your judgment, have been possible for six thousand (6,000) men, without artillery, to have held out there, without being captured or overwhelmed, from the 26th of December to the 15th of January?

*A.* No; and it is a matter of grave charge against General Bragg, that the whole force was not captured on the 26th of December. He had the force and the position.

*Q.* 22. Please state, as specifically as you may be able, the differences in the condition of the fort from the fire of the navy at the time of the first and second attack. Please state the effect of the fire.

*A.* There was great difference in the position of the ships in the two attacks, and in the nature and effect of the fire. The first was a general bombardment, not calculated to effect particular damage. The second firing had for definite object the destruction of the land defences, and the ships were placed accordingly, to destroy them by enfilade and direct fire. On that front and the northeast salient the whole enormous fire was poured without intermission, until the slope of the northeast salient was practicable for assault. Not a gun remained in position on the approaches, the whole palisade swept away, communication with the mines cut off, rendering them useless, and the men unable to stand to the parapets during the fire. *There was all the difference in the world.*

*Q.* 23. Please state whether or not the fire of the navy, at the time of the second attack, was, unlike the time of the first attack, continuous; and if so, for how long, and what number of guns were dismounted by it?

Also, whether the garrison at the time of the second attack had any time to rest or recruit, or even to repair damages?

*A.* In the second attack the fire was continuous during the night. Not so heavy at night, but enough to prevent repairs, and to keep the garrison from rest and food. The land guns all disabled; field-pieces only left to depend on.

*Q.* 24. Would you have deemed it the part of wisdom on the part of the commander of the Federal forces to have exposed his troops in the situation referred in question twenty-one?

*A.* I do not. Neither attack was practicable in the presence of the supporting force, provided that they had been under a competent officer. The first landing ought assuredly to have been captured entirely; and as for the second, although deriving much greater advantages from the different mode of attack by the fleet, and though pressed with greater vigor, it is due to the supineness of the Confederate general that it was not destroyed in the act of assault. . . .

W. H. C. WHITING,
*Major-General P. A. C. S., Prisoner of War.*

[**No. 125.** *See pages* 794 *and* 796.]

TESTIMONY OF MAJOR-GENERAL WEITZEL.[1]

I pushed a skirmish line to, I think, within about one hundred and fifty yards of the work. I had about three hundred men left in the main body, about eight hundred yards from the work. There was a knoll that had evidently been built for a magazine, an artificial knoll on which I stood, and which gave me a full view of the work and the ground in front of it. I saw that the work, as a defensive work, was not injured at all, except that one gun about midway of the land face was dismounted. I counted sixteen guns all in proper position, which made it evident to me that they had not been injured; because when a gun is injured, you can generally see it from the way in which it stands. The grass slopes of the traverses and of the parapet did not appear broken in the least. The regular shapes of the slopes of the traverses and slopes of the parapets were not disturbed. I did not see a single opening in the row of palisades that was in front of the ditch; it seemed to me perfectly intact.

From all the information which I gained on my first visit to New Inlet, from what I saw on this reconnoissance, together with the information that I had obtained from naval officers who had been on the blockade there for over two years, I was convinced that Fort Fisher was a regular bastioned work; the relief was very high. I had been told by deserters from it that the ditch was about twenty feet wide and six feet deep, and that it was crossed by a bridge. I saw the traverses between each pair of guns, and was perfectly certain within my own mind that they were bomb-proofs; they ought to have been, and they were. It was a stronger work than I had ever seen or heard of being assailed during this war. I have commanded in person three assaulting columns in this war. I have been twice assailed by assaulting columns of the enemy, when I have had my men intrenched. Neither in the first three cases where I assailed the

[1] Report of the Committee on the Conduct of the War, Fort Fisher Expedition, p. 72.

enemy's works, nor in the two cases where I was myself assailed, were the works, in an engineering point of view, one eighth as strong as that work was. Both times when I was assaulted by the enemy, the intrenchments behind which my men fought were constructed in one night, and in each case after the men had had two or three days of very hard work. I have been repulsed in every attempt I have made to carry an enemy's work, although I have had as good troops as any in the United States army, and their record shows it. The troops that I had under my command in the first two assaults have been with General Sheridan in the whole of his last campaign — the first division of the Nineteenth Army Corps — and they fought as well under me as they have under him. The third time that I assailed a position was on the Williamsburg road. I had two of the best brigades of the Eighteenth Army Corps. It was a weakly defended line, and not a very strong one. Still I lost a great many men, and was repulsed. In the two instances where the enemy assaulted my position they were repulsed with heavy loss.

After that experience, with the information I had obtained from reading and study—for before this war I was an instructor at the Military Academy for three years under Professor Mahan, on these very subjects — remembering well the remark of the lieutenant-general commanding, that it was his intention I should command that expedition, because another officer selected by the War Department had once shown timidity, and in face of the fact that I had been appointed a major-general only twenty days before, and needed confirmation ; notwithstanding all that, I went back to General Butler, and told him I considered it would be murder to order an attack on that work with that force. I understood Colonel Comstock to agree with me perfectly, although I did not ask him, and General Butler has since said that he did.

Upon my report, General Butler himself reconnoitred the work, ran up close with the Chamberlain, and took some time to look at it. He then said that he agreed with me, and directed the re-embarkation of the troops. The troops were re-embarked, and we came back to Fortress Monroe, to our camp. When we stopped at City Point going up, to permit Colonel Comstock to disembark, General Butler went ashore, as he told me, to see General Grant. Upon his return, I asked him whether the general was satisfied with what we had done. He said, yes, he was perfectly satisfied with it.

*Question.*—Who was that officer, selected by the War Department, to whom General Grant objected?

*Answer.*—General Gillmore.

[**No. 126.** *See page* 798.]

HEADQUARTERS DEPARTMENT OF VIRGINIA AND NORTH CAROLINA,
ARMY OF THE JAMES, IN THE FIELD, Jan. 3, 1865.

LIEUT.-GEN. U. S. GRANT,
COMMANDING ARMIES OF THE UNITED STATES:

*General:* — On the 7th of December last, in obedience to your orders, I moved a force of about sixty-five hundred efficient men, consisting of General Ames' division of the Twenty-Fourth Corps, and General Paine's

division of the Twenty-Fifth Corps, under command of Major-General Weitzel, to an encampment near Bermuda.

On the 8th the troops embarked for Fortress Monroe.

On the 9th, Friday, I reported to Rear-Admiral Porter that the army portion of the conjoint expedition directed against Wilmington was ready to proceed.

We waited there Saturday the 10th, Sunday the 11th, and Monday the 12th.

On the 12th, Rear-Admiral Porter informed me that the naval fleet would sail on the 13th, but would be obliged to put into Beaufort to take on board ammunition for the monitors.

The expedition having become the subject of remark, fearing lest its destination should get to the enemy, in order to divert from it all attention, on the morning of Tuesday the 13th, at three o'clock, I ordered the transport fleet to proceed up the Potomac during the day to Matthias Point, so as to be plainly visible to the scouts and signal men of the enemy on the northern neck, and to retrace their course at night and anchor under the lee of Cape Charles.

Having given the navy thirty-six hours' start, at 12 o'clock noon of the 14th, Wednesday, I joined the transport fleet off Cape Henry, and put to sea, arriving at the place of rendezvous off New Inlet, near Fort Fisher, on the evening of the 15th, Thursday.

We there waited for the navy Friday, the 16th, Saturday, the 17th, and Sunday, the 18th, during which days we had the finest possible weather and the smoothest sea.

On the evening of the 18th, Admiral Porter came from Beaufort to the place of rendezvous. That evening the sea became rough, and on Monday, the 19th, the wind sprang up freshly, so that it was impossible to land troops; and by the advice of Admiral Porter, communicated to me by letter, I directed the transport fleet to rendezvous at Beaufort. This was a matter of necessity, because the transport fleet, being coaled and watered for ten days, had already waited that time, to wit: from the 9th, the day on which we were ready to sail, to the 19th.

On the 20th, Tuesday, 21st, Wednesday, 22d, Thursday, and 23d, Friday, it blew a gale. I was occupied in coaling and watering the transport fleet at Beaufort.

The Baltic, having a large supply of coal, was enabled to remain at the place of rendezvous, with a brigade on board of twelve hundred men, and General Ames reported to Admiral Porter that he would co-operate with him.

On the 23d, I sent Captain Clarke, of my staff, from Beaufort, on the fast-sailing armed steamer Chamberlain, to Admiral Porter, to inform him that on the evening of the 24th I would again be at the rendezvous with the transport fleet, for the purpose of commencing the attack, the weather permitting.

At four o'clock, on the evening of the 24th, I came in sight of Fort Fisher, and found the naval fleet engaged in bombarding, the powder vessel having been exploded on the morning previous about one o'clock.

Through General Weitzel, I arranged with Admiral Porter to commence the landing under the cover of the gunboats as early as eight o'clock the next morning, if possible, as soon as the fire of the Half-Moon and Flag-Pond Hill batteries had been silenced. These are up the shore some two or three miles above Fort Fisher.

Admiral Porter was quite sanguine that he had silenced the guns of Fort Fisher. He was then urged, if that were so, to run by the fort into Cape Fear River, and then the troops could land and hold the beach without liability of being shelled by the enemy's gunboats (or the Tallahassee being seen in the river).

It is to be remarked that Admiral Farragut, even, had never taken a fort except by running by and cutting it off from all prospect of reinforcements, as at Fort Jackson and Fort Morgan, and that no casemated fort had been silenced by naval fire during the war. That if the admiral would put his ships in the river the army could supply him across the beach, as we had proposed to do Farragut at Fort St. Philip. That at least the blockade of Wilmington would be thus effectual, even if we did not capture the fort. To that the admiral replied that he should probably lose a boat by torpedoes if he attempted to run by.

He was reminded that the army might lose five hundred men by the assault, and that his boat would not weigh in the balance, even in a money point of view, for a moment, with the lives of the men. The admiral declined going by, and the expedition was deprived of that essential element of success.

At 12 o'clock noon of the 25th, Sunday, Captain Glisson, commanding the covering divisions of the fleet, reported the batteries silenced and his vessels in position to cover our landing.

The transport fleet, following my flag-ship, stood in within eight hundred yards of the beach, and at once commenced debarking. The landing was successfully effected. Finding that the reconnoitring party just landed could hold the shore, I determined to land a force with which an assault might be attempted.

Brevet Brigadier-General Curtis, who deserves well for his gallantry and conduct, immediately pushed up his brigade within a few hundred yards of Fort Fisher, capturing the Half-Moon battery and its men, who were taken off by the boats of the navy.

This skirmish line advanced to within seventy-five yards of the fort, protected by the glacis which had been thrown up in such form as to give cover, the garrison being completely kept in their bomb-proofs by the fire of the navy, which was very rapid and continuous, their shells bursting over the work with very considerable accuracy. At this time we lost ten men, wounded on the skirmish line by the shells from the fleet.

Quitting my flag-ship I went on board the Chamberlain and ran in within a few hundred yards of the fort, so that it was plainly visible.

It appeared to be a square bastioned work of very high relief, say fifteen feet, surrounded by a wet ditch some fifteen feet wide. I was protected from being enveloped by an assaulting force by a stockade which extended from the fort to the sea on the one side, and from the marshes of Cape Fear River to the salient on the other.

No material damage to the fort as a defensive work had been done.

Seventeen heavy guns bore up the beach, protected from the fire of the navy by traverses eight or ten feet high, which were undoubtedly bomb-proof shelters for the garrison.

With the garrison kept within their bomb-proofs it was easy to maintain this position; but the shells of the navy, which kept the enemy in their bomb-proofs, would keep my troops out. When those ceased falling the parapet was fully manned.

Lieutenant Walling, of the One Hundred and Forty-Second New York, pressed up to the edge of the ditch, and captured a flag which had been cut down by a shell from the navy. It is a mistake, as was at first reported to me, that any soldier entered the fort. An orderly was killed about a third of a mile from the fort, and his horse taken.

In the meantime the remainder of Ames' division had captured two hundred and eighteen men and ten commissioned officers of the North Carolina reserves, and other prisoners. From them I learned that Kirkland's and Hagood's brigades of Hoke's division had left the front of the Army of the James, near Richmond, and were then within two miles of the rear of my forces, and their skirmishers were then actually engaged, and that the remainder of Hoke's division had come the night before to Wilmington, and were then on the march, if they had not already arrived.

I learned, also, that these troops had left Richmond on Tuesday, the 20th.

Knowing the strength of Hoke's division, I found a force opposed to me outside of the works larger than my own.

In the meantime the weather assumed a threatening aspect. The surf began to roll in so that the landing became difficult. At this time General Weitzel reported to me that to assault the work, in his judgment, and in that of the experienced officers of his command who had been on the skirmish line, with any prospect of success, was impossible.

This opinion coincided with my own, and much as I regretted the necessity of abandoning the attempt, yet the path of duty was plain. Not so strong a work as Fort Fisher had been taken by assault during the war, and I had to guide me the experience of Port Hudson, with its slaughtered thousands in the repulsed assault, and the double assault of Fort Wagner, where thousands were sacrificed in an attempt to take a work less strong than Fisher, after it had been subjected to a more continued and fully as severe fire. And in neither of the instances I have mentioned had the assaulting force in its rear, as I had, an army of the enemy larger than itself.

I therefore ordered that no assault should be made, and that the troops should re-embark.

While superintending the preparations for this, the fire of the navy ceased. Instantly the guns of the fort were fully manned, and a sharp fire of musketry, grape, and canister swept the plain over which the column must have advanced, and the skirmish line was returning.

Working with what diligence we could, it was impossible to get the troops again on board before the sea ran so high as to render further

re-embarkation, or even the sending of supplies ashore, impossible. I lay by the shore until eleven o'clock the next day, Monday, the 26th, when, having made all proper dispositions for getting the troops on board, I gave orders to the transport fleet, as fast as they were ready, to sail for Fortress Monroe, in obedience to my instructions from the lieutenant-general.

I learned, from deserters and prisoners captured, that the supposition upon which the lieutenant-general directed the expedition, that Wilmington had been denuded of troops to oppose General Sherman, was correct. That at the time when the army arrived off Wilmington, there were less than four hundred men in the garrison of Fort Fisher, and less than a thousand within twenty miles.

But the delay of three days of good weather, the 16th, 17th, and 18th, waiting for the arrival of the navy, and the further delay from the terrible storm of the 21st, 22d, and 23d, gave time for troops to be brought from Richmond, three divisions of which were either there or on the road.

The instructions of the lieutenant-general to me did not contemplate a siege; I had neither siege trains nor supplies for such a contingency.

The exigency of possible delay, for which the foresight of the commander of the armies had provided, had arisen, to wit: the larger reinforcement of the garrison. This, together with the fact that the navy had exhausted their supply of ammunition in the bombardment, left me with no alternative but to return with my troops to the Army of the James.

The loss of the opportunity of Friday, Saturday, and Sunday, the 16th, 17th, and 18th, was the immediate cause of the failure of the expedition.

It is not my province even to suggest blame to the navy for their delay of four days at Beaufort. I know none of the reasons which do or do not justify it. It is to be presumed they are sufficient.

I am happy to bring to the attention of the lieutenant-general the excellent behavior of the troops, both officers and men, which was all that could be desired.

I am under special obligations to Captain Glisson, of the Santiago de Cuba, for the able and efficient manner in which he covered our landing; to Captain Alden, of the Brooklyn, for his prompt assistance and the excellent gunnery with which the Brooklyn cleared the shores of all opposers at the moment of debarkation. Lieutenant Farquhar, of the navy, having in charge the navy boats which assisted in the landing, deserves great credit for the energy and skill with which he managed the boats through the rolling surf. Especial commendation is due to Brigadier-General Graham and the officers and men of his naval brigade, for the organization of his boats and crews for landing, and the untiring energy and industry with which they all labored in re-embarking the troops during the stormy night of the 25th and the days following. For this and other meritorious services during the campaign since the first of May, which have heretofore been brought to the notice of the lieutenant-general in my official reports, I would respectfully but earnestly recommend General Graham for promotion.

The number of prisoners captured by us was three hundred, including twelve officers, two heavy rifled guns, two light guns, and six caissons.

The loss of the army was one man drowned, two men killed, one officer captured, who accidentally wandered through our pickets, and ten men wounded, while upon the picket line, by the shells of the navy.

Always chary of mentioning with commendation the acts of my own personal staff, yet I think the troops who saw it will agree to the cool courage and daring of Lieut. Sidney B. DeKay, aide-de-camp, in landing on the night of the 25th, and remaining aiding in re-embarkation on the 27th.

For the details of the landing and the operations, I beg leave to refer you to the reports of Major-General Weitzel, commanding the division landed, which are hereto appended.

Trusting my action will meet with the approval of the lieutenant-general, this report is respectfully submitted.

BENJAMIN F. BUTLER,
*Major-General.*

[*Official copy.*]

E. D. TOWNSEND, *Assistant Adjutant-General.*

Adjutant-General's Office, Nov. 18, 1865.[1]

[**No. 127.** *See page* 798.]

HEADQUARTERS DEPARTMENT VIRGINIA AND NORTH CAROLINA,[2]
FORTRESS MONROE, Dec. 27, 1864, 8 P. M.

LIEUT.-GEN. U. S. GRANT, CITY POINT, VIRGINIA:

I have just returned from the expedition. We had a storm from Monday until Friday, which was the earliest hour I could get out of Beaufort, where I had put in for coal, most of the transport fleet having got out of coal and water. Without waiting for my return Admiral Porter exploded the torpedo at one (1) o'clock on Friday morning and commenced his attack at twelve fifty-five (12.55) in the afternoon, twelve hours afterwards. He continued the bombardment of the fort until night. I arrived in the evening and commenced landing on the beach the next morning; got a portion on shore about two (2) o'clock. Weitzel moved down upon the works, capturing three hundred (300) men and ten (10) commissioned officers. He brought his picket line within fifty (50) yards of the work, when he was opened upon by canister and musketry. He found seventeen (17) guns bearing upon the beach, which was only wide enough for an assault of a thousand men in line, the guns protected by traverses, and but one (1) dismounted, notwithstanding the fire of the fleet had been opened upon them for five (5) hours. In the meanwhile the surf had so arisen as to render further landing nearly impracticable. After a thorough reconnoissance of the work, finding it utterly impracticable for a land assault, and that at least two (2) brigades of Hoke's division from before Richmond had arrived there, and that the rest was on the road, I withdrew the forces and ordered a re-embarkment, and had got on board all of the troops, with the exception of about six

[1] Report of the Committee on the Conduct of the War, Fort Fisher, p. 35.
[2] Report before the Committee on the Conduct of the War, Fort Fisher, p. 26.

hundred (600), when the surf was so high as to prevent either getting on or off the shore. I lay by until morning and took measures for their relief as soon as the sea might go down. They were under cover of the gunboats, and I have no doubt they are all safely off.

Our loss when I left was but twelve (12) wounded, ten (10) of whom were by the shells of the navy on our picket line near the fort. I will be up in the morning.

BENJ. F. BUTLER,
*Major-General Commanding.*

[**No. 128.** *See page* 803.]

EXTRACT FROM REPORT OF COMMODORE W. N. JEFFERS.[1]

The remainder of the powder put on board at Norfolk, making in all one hundred and eighty-five (185) tons, was stowed against the after bulkhead of the deck-house, and filled the space over the boiler, extending as far as the hatch to the after hold or coal-bunker, leaving about four fifths of the space in the deck-house empty. . . .

When the probable effects of the explosion were under discussion, it was the unanimous opinion of the experts in ordnance that, to produce the maximum effect, the fire should be communicated, and the explosion take place in many points simultaneously, all the accounts of accidental explosions of large quantities of powder agreeing that large quantities of unconsumed powder were blown away from the focus of ignition, causing a great reduction of effect.

Electricity was proposed as offering the most probable means of securing this result; but as this agent is known to be very unreliable in action, it was determined to use several clockwork arrangements, a slow match, and finally to set the vessel on fire to insure an ultimate explosion, and not bestow so large a quantity of material on the enemy in the event of a failure of one or more of the modes of exploding it.

The arrangement of the clockwork being confided to me, I made a very simple one. Removing the face and hands of an ordinary marine clock, I secured to the arbor of the minute-hand a small cylinder with four pins set into the circumference, and equidistant — that is, fifteen (15) minutes of time apart. Three clocks were thus arranged. These clocks were secured to a board; by the side of the clock a copper tube was secured, in the bottom of which was brazed a mass of metal with a common musket cone screwed into it, to be capped with a percussion cap.

An eight-inch grape shot, weight two pounds, diameter 2.5 inches, was attached to one end of a piece of catgut which was led through an eye-bolt at the top of the tube, and hooked by a loop in the other end, over one of the pins on the clock cylinder. It is easy to see that by the revolution of the cylinder the loop would slip off, the grape shot drop, and the explosion of the cap take place in 15′, 30′, 45′, or 60′, as desired; this it never failed to do in many trials. I frequently set the three clocks going, and the explosion occurred within two minutes of each other at the end of an hour. To determine the time of explosion it was only neces-

[1] Report before the Committee on the Conduct of the War, No. 5, p. 249.

sary to put the loop over the proper pin, remove a stop, and set the apparatus in motion.

Major Rodman arranged with great care, and after numerous experiments, to insure safety and certainty, the slow matches, six in number, which were to be distributed in as many places.

In the event of the electricity failing the clocks were to be the next dependence; it was, therefore, necessary to so distribute them that in case the vessel was boarded from the shore they could not be conveniently reached; and also to lead the flame rapidly to many points.

This it was proposed to accomplish by the aid of the "Gomez fuse train," which is incomparably quicker in its action than the flame of gunpowder, approximating electricity.

From each clock and each slow-match this train was to be laid through the exterior layers of bags in the deck-house and into each hatch; and, in order to secure this simultaneous ignition in many places, the fuse train from each of the clocks was to be grafted into the other fuse train from each of the other clocks at all points of crossing.

By the report of Admiral Porter it would appear that the powder was finally exploded from the effects of a fire kindled in the forecastle; no results of value were to be expected from this mode. It was proposed only as a final resort in order to prevent the vessel in any contingency from falling into the hands of the enemy. It was certain that the greater portion of the powder would be blown away if ignited in a single point, and the effect very much diminished.

The three explosions spoken of are readily accounted for, the deck-house, the after hold, and the berth-deck would take fire in succession if ignited at one point.

*I cannot in any way account for the failure of the clocks, if set to the proper time, except on the supposition that possibly the turn on the cylinder may have been taken the wrong way, and instead of unwinding they wound up the balls!*

I am not aware that any attempt was made to use the electric wire; but it was not favorably considered by those charged with the execution of the plan. Mr. Beardslee, who was to undertake this matter, came to Norfolk, made himself acquainted with the requirements and returned to New York to obtain the necessary means, but had not reached Norfolk when the vessel sailed.

A part of the programme required that the vessel should be grounded, which appears not to have been the case. No very sanguine expectations were entertained of a successful result unless the vessel could be placed within three hundred yards, and then only after all the precautions had been taken to insure a maximum effect.

[**No. 129.** *See pages* 804 *and* 806.]

TESTIMONY OF COMMANDER A. C. RHIND, U. S. N.[1]

The fuses were set by the clocks to one hour and a half, but the explosion did not occur till twenty-two minutes after that time had elapsed, the after part of the vessel being then enveloped in flames.

[1] Report before the Committee on the Conduct of the War, Fort Fisher, p. 131.

[**No. 130.** *See page* 804.]

UNITED STATES STEAMER AGAWAN,
NAVY YARD, NORFOLK, Feb. 2, 1865.

REAR-ADMIRAL D. D. PORTER, COMMANDING N. A. B. SQUADRON:

*Admiral:* — . . . No part of the fuse used was circulated through the parts of the vessel already stowed (marked N. and E.), and it was impossible to place it there without breaking out the cargo. On the arrival of the vessel at Beaufort, about thirty tons more powder was put in her, making in all about 215 tons, as much as the vessel would carry without being too deep in the water. . . .

As to my "impression of the results and the effect produced," I stated in my report to you of December 26, that, owing to the want of confinement and insufficient fusing of the mass, that much of the powder was blown away before ignition, and its effects lost. . . .

Respectfully, your obedient servant,

A. C. RHIND,
*Commander.*[1]

[**No. 131.** *See page* 806.]

. . . The death of the gallant Preston, who fell in the subsequent assault upon Fort Fisher, deprives the record of his written testimony; but in an interview with Commander Wise, while in Washington as a bearer of despatches, he stated that he heard two distinct explosions; others said that they heard three; but this was not his opinion. He could see, however, repeated explosions in the air, evidently those of the ignited powder bags which had been thrown up by the explosion of the lower strata of powder. . . .

[**No. 132.** *See page* 808.]

REPORT OF T. J. RODMAN, MAJOR OF ORDNANCE AND MEMBER OF THE COMMISSION THAT DEVISED THE CLOCKWORK.[2]

By report of Admiral Porter it would appear that the powder was finally exploded from the effects of a fire kindled in the forecastle. No results of value were to be expected from this mode. It was proposed only as a final resort, in order to prevent the vessel in any contingency from falling into the hands of the enemy. It was certain that the greater portion of the powder would be blown away if ignited in a single point, and the effect very much diminished. The three explosions spoken of are readily accounted for — the deck-house, the after-hold, and the berth-deck would take fire in succession if ignited at one point.

[**No. 133.** *See page* 808.]

REPORT OF D. D. PORTER, DEC. 26, 1864.[3]

The gallant party, after coolly making all their arrangements for the explosion, left the vessel. The last thing that they did was to set her on fire under the cabin. Then taking to their boats, they made their escape

[1] Report before the Committee on the Conduct of the War, No. 5, p. 252.
[2] Report before the Committee on the Conduct of the War, Fort Fisher, p. 251.
[3] Report to Secretary of Navy of D. D. Porter, Dec. 26, 1864. Fort Fisher, p. 123.

off to the Wilderness, lying close by. The Wilderness then put off shore with good speed to avoid any ill-effects that might happen from the explosion. At forty-five minutes past one of the morning of the 24th, the explosion took place, and the shock was nothing like so severe as was expected. It shook the vessel some, and broke one or two glasses, but nothing more.

[**No. 134.** *See page* 808.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT, Jan. 10, 1865.

REAR-ADMIRAL D. D. PORTER, U. S. N.,

COMMANDING N. A. B. SQUADRON, OFF WILMINGTON, N. C.:

*Sir:* — The bureau desires that you will direct the officers who were in charge of the powder-boat, recently exploded near Fort Fisher, to forward to the bureau a full and detailed statement, *but secret and confidential*, of all the circumstances connected with the arrangement of the powder, the fuses, and other appliances intended to secure a uniform and simultaneous explosion, together with the manner in which the plan was executed, and their impressions of the result and the effects produced.

This information is desired as early as practicable.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau.*[1]

[**No. 135.** *See pages* 809 *and* 819.]

U. S. FLAG-SHIP MALVERN, OFF FORT FISHER, Jan. 15, 1865.

HON. GIDEON WELLES, SECRETARY OF THE NAVY, WASHINGTON, D. C.:

*Sir:* — I have the honor to inform you that we have possession of Fort Fisher and the fall of surrounding works will soon follow. As I informed you in my last, we had commenced operations with the iron vessels, which bombarded while we landed the troops. On the 14th, I ordered all vessels carrying eleven-inch guns to bombard, with the Ironsides — the Brooklyn taking the lead. By sunset the fort was reduced to a pulp; every gun was silenced, by being injured or covered up with earth, so that they would not work. . . .

It is a matter of great regret to me to see my gallant officers and men so cut up, but I was unwilling to let the troops undertake the capture of the works without the navy's sharing with them the peril all were anxious to undergo, and we should have had the honor of meeting our brothers in arms in the works had the sailors been properly supported. We have lost about two hundred in killed and wounded, and among them some gallant officers. . . .

I don't suppose there ever was a work subjected to such a terrific bombardment, or where the appearance of a fort was more altered. There is not a spot of earth about the fort that has not been torn up by our shells. . . .

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[2]

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[1] Report before the Committee on the Conduct of the War, No. 5, p. 243.
[2] Report before the Committee on the Conduct of the War, No. 5, p. 182.

[**No. 136.** *See page* 814.]

## THE DEFENCES OF FORT FISHER.[1]

By its Commander, William Lamb, Colonel, C. S. A.

. . . Lee sent me word that Fort Fisher must be held, or he could not subsist his army. . . .

At the land face of Fort Fisher, five miles from the intrenched camp, the peninsula was about half a mile wide. This face commenced about a hundred feet from the river with a half bastion, and extended with a heavy curtain to a full bastion on the ocean side, where it joined the sea face. The work was built to withstand the heaviest artillery fire. There was no moat with scarp and counterscarp, so essential for defence against storming parties, the shifting sands rendering its construction impossible with the material available. The outer slope was twenty feet high from the berme to the top of the parapet, at an angle of forty-five degrees, and was sodded with marsh grass, which grew luxuriantly. The parapet was not less than twenty-five feet thick, with an inclination of only one foot. The revetment was five feet nine inches high from the floor of the gun-chambers, and these were some twelve feet or more from the interior plane. The guns were all mounted in barbette, on Columbiad carriages; there was not a single casemated gun in the fort. Experience had taught that casemates of timber and sand-bags were a delusion and a snare against heavy projectiles; and there was no iron to construct them with. Between the gun-chambers, containing one or two guns each (there were twenty heavy guns on the land face), there were heavy traverses, exceeding in size any known to engineers, to protect from an enfilading fire. They extended out some twelve feet on the parapet, and were twelve feet or more in height above the parapet, running back thirty feet or more. The gun-chambers were reached from the rear by steps. In each traverse was an alternate magazine or bomb-proof, the latter ventilated by an air-chamber. Passageways penetrated the traverses in the interior of the work, forming additional bomb-proofs for the reliefs of the guns.

The sea face for a hundred yards from the northeast bastion was of the same massive character as the land face. A crescent battery, intended for four guns, joined this. It had been originally built of palmetto logs and tarred sand-bags, and sand-rivetted with sod; but the logs had decayed, and it was converted into a hospital bomb-proof. In its rear a heavy curtain was thrown up to protect the chambers from fragments of shells. From this bomb-proof a series of batteries extended for three quarters of a mile along the sea, connected by an infantry curtain. These batteries had heavy traverses, but were not more than ten or twelve feet high to the top of the parapets, and were built for ricochet firing. On this line was a bomb-proof electric battery, connected with a system of submarine torpedoes. Farther along, where the channel ran close to the beach, inside the bar, a mound battery, sixty feet high, was erected, with two heavy guns, which had a plunging fire on the channel; this was connected with the battery north of it by a light curtain. Following the line of the

[1] From the "Century War Books."

works, it was over one mile from the mound to the northeast bastion at the angle of the sea and land faces, and upon this line twenty-four heavy guns were mounted. From the mound to nearly a mile to the end of the point was a level sand plain, scarcely three feet above high tide, and much of it was submerged during gales. At the point was Battery Buchanan, four guns, in the shape of an ellipse, commanding the inlet, its two eleven-inch guns covering the approach by land. It was garrisoned by a detachment from the Confederate States navy. An advanced redoubt with a twenty-four-pounder was added after the attack by the forces under General Butler and Admiral Porter on Christmas, 1864. A wharf for large steamers was in close proximity to these works. Battery Buchanan was a citadel to which an overpowered garrison might retreat, and, with proper transportation, be safely carried off at night, and to which reinforcements could be sent under the cover of darkness. . . .

As a defence against infantry there was a system of sub-terra torpedoes extending across the peninsula, five to six hundred feet from the land face and so disconnected that the explosion of one would not affect the others; inside the torpedoes, about fifty feet from the berme of the work, extending from river-bank to seashore, was a heavy palisade of sharpened logs nine feet high, pierced for musketry, and so laid out as to have an enfilading fire on the centre, where there was a redoubt guarding a sally-port, from which two Napoleons were run out as occasion required. At the river end of the palisade was a deep and muddy slough, across which was a bridge, the entrance on the river road into the fort; commanding this bridge was a Napoleon gun. There were three mortars in rear of the land face.

[**No. 137.** *See page* 818.]

North Atlantic Squadron, U. S. Flag-Ship Malvern,
Off Fort Fisher, Jan. 17, 1865.

Hon. Gideon Welles, Secretary of the Navy,
Washington, D. C.:

*Sir:*— . . . I have since visited Fort Fisher and the adjoining works, and find their strength greatly beyond what I had conceived. An engineer might be excusable in saying they could not be captured except by regular siege. I wonder even now how it was done. The work, as I said before, is really stronger than the Malakoff tower, which defied so long the combined power of France and England; and yet it is captured by a handful of men under the fire of the guns of the fleet, and in seven hours after the attack commenced in earnest. . . . We expended, in the bombardment, about fifty thousand shells, and have as much more on hand.

I am, sir, very respectfully, your obedient servant,

David D. Porter,
*Rear-Admiral.*[1]

[1] Conduct of the War, No. 5, p. 187.

[**No. 138.** *See pages* 810, 811, 818, *and* 819.]

NORTH ATLANTIC SQUADRON, UNITED STATES FLAG-SHIP MALVERN,
BEAUFORT, N. C., Dec. 29, 1864.

HON. GIDEON WELLES, SECRETARY OF THE NAVY,
WASHINGTON, D. C.:

*Sir:*— . . . Well, sir, it could have been taken on Christmas with five hundred men, without losing a soldier; there were not twenty men in the forts, and those were poor, miserable, panic-stricken people, cowering there with fear, while one or two desperate men in one of the upper casemates, some distance above Fort Fisher, managed to fire one gun that seldom hit anyone. . . .

General Weitzel went on shore, determined what the report of the defences would be, for General Butler had made an opinion for him. The department, sir, has no cause to be dissatisfied with the share the navy has taken in this affair; the ships did their work so beautifully that you will hear of but one opinion expressed by lookers-on.

If this temporary failure succeeds in sending General Butler into private life, it is not to be regretted, for it cost only a certain amount of shells, which I would expend in a month's target practice anyhow. . . .

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[1]

[**No. 139.** *See pages* 809, 818, *and* 819.]

NORTH ATLANTIC SQUADRON, U. S. FLAG-SHIP MALVERN,
BEAUFORT, N. C., Dec. 31, 1864.

HON. GIDEON WELLS, SECRETARY OF THE NAVY,
WASHINGTON, D. C.:

. . . General Bragg must have been very agreeably disappointed when he saw our troops going away without firing a shot, and to see an expedition costing millions of dollars given up when the hollowness of the rebel shell was about to be exposed. . . .

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[2]

[**No. 140.** *See page* 818.]

PORTER'S REPORT OF DEC. 29 TO HON. GIDEON WELLES, SECRETARY OF THE NAVY.

At no time did I permit the vessels to open on them with all their batteries, limiting some of them to about two shots a minute, and permitting the large vessels to fight only one division of guns at a time.

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[1] Conduct of the War, No. 5, p. 169.
[2] Conduct of the War, No. 5, p. 171.

[**No. 141.** *See pages* 810 *and* 818.]

North Atlantic Squadron, United States Flag-Ship Malvern, At Sea, Off New Inlet, North Carolina, Dec. 26.

Hon. Gideon Welles, Secretary of the Navy:

. . . At daylight, on the 24th, the fleet got under way, and stood in, in line of battle. At 11.30 A. M. the signal was made to engage the forts, the Ironsides leading, and the Monadnock, Canonicus, and Mahopac following. The Ironsides took her position in the most beautiful and seamanlike manner, got her spring out, and opened deliberate fire on the fort, which was firing at her with all its guns, which did not seem numerous in the northeast face, though we counted what appeared to be seventeen guns; but four or five of these were fired from that direction, and they were silenced almost as soon as the Ironsides opened her terrific battery.

The Minnesota then took her position in handsome style, and her guns, after getting the range, were fired with rapidity, while the Mohican, Colorado, and the large vessels marked on the plan, got to their stations, all firing to cover themselves while anchoring. By the time the last of the large vessels anchored and got their batteries into play, but one or two guns of the enemy were fired, this *feu d'enfer* driving them all to their bomb-proofs.

The small gunboats Kansas, Unadilla, Pequot, Seneca, Pontoosuc, Yantic, and Huron took positions to the northward and eastward of the monitors, and enfilading the works.

The Shenandoah, Ticonderoga, Mackinaw, Tacony, and Vanderbilt took effective positions as marked on the chart, and added their fire to that already begun.

The Santiago de Cuba, Fort Jackson, Osceola, Chippewa, Sassacus, Rhode Island, Monticello, Quaker City, and Iosco dropped into position according to order, and the battle became general. In one hour and fifteen minutes after the first shot was fired, not a shot came from the fort. Two magazines had been blown up by our shells, and the fort set on fire in several places; and such a torrent of missiles were falling into and bursting over it that it was impossible for anything human to stand it. Finding that the batteries were silenced completely, I directed the ships to keep up a moderate fire in hopes of attracting the attention of the transports and bringing them in. At sunset General Butler came in, in his flag-ship, with a few transports (the rest not having arrived from Beaufort).

Being too late to do anything more, I signalled the fleet to retire for the night for a safe anchorage, which they did without being molested by the enemy.

There were some mistakes made this day when the vessels went in to take position. My plan of battle being based on accurate calculation, and made from information to be relied on, was placed in the hands of each commander, and it seemed impossible to go astray if it was strictly followed.

I required those vessels that had not followed it closely to get under way and assume their proper positions, which was done promptly and

without confusion. The vessels were placed somewhat nearer to the works and were able to throw in their shell which were before falling into the water.

One or two leading vessels having made the mistake of anchoring too far off, caused those coming after them to commit a like error; but when they all got into place, and commenced work in earnest, the shower of shell (115 per minute) was irresistible. So quickly were the enemy's guns silenced that not an officer or man was injured. . . .

At 7 A. M., on the 25th, I made signal to get under way and form in line of battle, which was quickly done. The order to attack was given, and the Ironsides took position in her usual handsome style, the monitors following close after her. All the vessels followed according to order, and took position without a shot being fired at them, excepting a few shots fired at the four last vessels that got into line.

The firing this day was slow, *only sufficient to amuse* the enemy while the army landed, which they were doing five miles to the eastward of the fleet. . . .

In the bombardment of the 25th the men were engaged firing slowly for seven hours. The rebels kept a couple of guns on the upper batteries firing on the vessels, hitting some of them several times without doing much damage. The Wabash and Powhatan being within their range, the object seemed mainly to disable them, but a rapid fire soon closed them up. Everything was coolly and systematically done throughout the day, and I witnessed some beautiful practice. . . .

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER,
*Rear-Admiral.*[1]

[**No. 142.** *See page* 819.]

NORTH ATLANTIC SQUADRON, U. S. FLAG-SHIP MALVERN,
OFF WILMINGTON, Dec. 24, 1864.

HON. GIDEON WELLES, SECRETARY OF THE NAVY,
WASHINGTON, D. C.:

*Sir:* — I have the honor to inform you that I attacked the forts at the mouth of the Cape Fear River this morning at 12.30, and after getting the ships in position, *silenced it in about an hour and a half*, there being no troops here to take possession. I am merely firing at it now to keep up practice. The forts are nearly demolished, and as soon as troops come we can take possession; we have set them on fire, blown some of them up, and all that is wanted now is troops to land to go into them.

I suppose General Butler will be here in the morning. We have had very heavy gales here, which tugs, monitors, and all rode out at their anchors. The transports have gone into Beaufort, North Carolina.

I am, sir, very respectfully, your obedient servant,

DAVID D. PORTER.

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[1] Conduct of the War, No. 5, p. 122.

[**No. 143.** *See page* 819.]

North Atlantic Squadron,
Flag-Ship Malvern, Jan. 2, 1865.

. . . Fire deliberately. Fill the vessels up with every shell they can carry, and fire to dismount the guns, and knock away the traverses. The angle near the ships has heavy casemates; knock it away. Concentrate fire always on one point. With the guns disabled, the fort will soon be ours. . . .

David D. Porter,
*Rear-Admiral, Commanding North Atlantic Squadron.*[1]

North Atlantic Squadron,
Flag-Ship Malvern, Jan. 9, 1865.

. . . If practicable, the New Ironsides and the monitors will be ordered on to bombard the fort and dismount the guns while the troops are getting on shore. This will be done when the signal is made to the New Ironsides to attack, the monitors following her. . . .

David D. Porter,
*Rear Admiral, Commanding North Atlantic Squadron.*[2]

[**No. 144.** *See page* 824.]

North Atlantic Squadron, U. S. Flag-Ship Malvern,
Cape Fear River, Jan. 24, 1865.

Hon. Gideon Welles, Secretary of the Navy,
Washington, D. C.:

*My Dear Sir:*—I received your kind letter of the 17th inst., and thank you warmly for the confidence you repose in my opinion that this place could be taken.

To the Navy Department alone is the country indebted for the capture of this rebel stronghold, for had it not been for your perseverance in keeping this fleet here, and your constant propositions made to the army, nothing would have been done. As it was, after the proposition had been received and General Grant promised that the troops should be sent, it was not done until General Butler consented to let the matter go on, and where he hoped to reap some little credit from the explosion of the powder-boat. Now, the country gives General Grant the credit of inaugurating the expedition, when on both occasions he permitted it to go imperfectly provided. In the first place, it had neither head nor tail, as far as the army was concerned. In the second place, he (Grant) sent too few men, when he ought to have calculated that the rebels would have more strongly defended the works after seeing what a narrow escape they had. Nothing but the most desperate fighting and determination to win on the part of the army gave us the victory. The gallant band of sailors who fearlessly went into the works, amid a shower of canister and

[1] Conduct of the War, No. 5, p. 196.
[2] Conduct of the War, No. 5, p. 198.

bullets, drew the enemy's attention away from the assault on the land side, and enabled the troops to obtain a secure footing. I don't say this to detract from the gallantry of the soldiers, for never did men fight harder or more handsomely than did our troops on that day.

Now that the most important fort on the coast has been gained, as usual you will hear but little of what the navy did, and, no doubt, efforts will be made again to show that the work was "not substantially injured as a defensive work." To General Grant, who is always willing to take the credit when anything is done, and equally ready to lay the blame of the failure on the navy, I feel under no obligations for receiving and allowing a report to be spread from his headquarters that there were three days when the navy might have operated and did not.

He knows as much about it as he did when he wrote to me, saying that the "only way in which the place could be taken was by running the ships past the batteries," showing, evidently, that he had not studied the hydrography of Cape Fear River, and did not know the virtue there was in our wooden walls when they went in for a fair stand-up fight. Any fort in rebeldom can be taken, if we can only get within reach of it.

I have served with the lieutenant-general before, where I never worked so hard in my life to make a man succeed as I did for him. You will scarcely notice in his reports that the navy did give him any service, when, without the help it has given him all the way through, he would never have been lieutenant-general. He wants magnanimity, like most officers of the army, and is so avaricious as regards fame that he will never, if he can help it, do justice to our department. When the rebels write the history of this war, then, and only then, will the country be made to feel what the navy has done.

I do not feel at all kindly toward General Grant for the indifference he displayed in this matter until he found his reputation at stake; then he was glad to throw the elephant overboard that had weighted him down so heavily. He could not help but know that General Butler was going in command of this expedition. The matter was constantly discussed with him. He knew that he had placed himself and all his numerous staff on board the flag-ship Ben de Ford, and everybody spoke of him as commander of the troops.

In a conversation with General Grant I expressly told him that I wanted nothing to do with General Butler, and he promised me faithfully that he should not have any connection with the expedition. Two months I waited, the fleet ready to sail at an hour's notice, and I acquiesced in the lieutenant-general's decision that he could not spare troops for fear of endangering the defences in his front. I said: "Then the expedition will never go until Butler has a finger in the pie;" and, sure enough, when Butler said go, we went. The fear of weakening the defences disappeared on Butler's presenting his plan of blowing the forts down, and an army was shipped so quick (unprepared) on the transports, that they almost sailed in the middle of a heavy gale. General Grant knew that I did not care a fig for the powder-boat, though I was very

willing to try it as an experiment, but not disposed to trust to it altogether. I think it was most unhandsome in him to listen for a moment to the idle talk of Butler's staff, and his timid, calculating engineer, Comstock, who wanted some excuse for not doing their duty.

The lieutenant-general and I were together eighteen months before Vicksburg. He never had to wait for me, nor did any of his generals (but I have had to wait for them), and he should have supposed from the past, and my anxiety to go to work, that I had not become any slower in my movements than I was on the Mississippi. His course proves to me that he would sacrifice his best friend rather than let any odium fall upon Lieutenant-General Grant. He will take to himself all the credit of this move now that it is successful, when he deserves all the blame for the first failure to take the place.

All this now is saddled on General Butler, and history will tell nothing of General Grant's share in it. I tell it to you for your own personal satisfaction, that you may know and feel that you are entitled to the entire credit for getting this expedition off, and for its success. I am merely the agent, and only use to advantage the ample means placed at my disposal, which any one else could have done as well as I. I expect you sometimes think I am a little too impolitic in what I say, but that is my nature. I am always ready to fight right away, if any one reflects upon the navy. I know that no country under the sun ever raised a navy as you have done in the same time, and that no navy ever did more. Could the navy operate in James River, Richmond would now be ours. Vicksburg, a stronger place, fell when the navy was brought to bear upon it. Every place has fallen where naval cannon have been brought into play. Our success here has been beyond my most sanguine expectations. I knew that we would have Caswell in less than a month; but I had no idea that the rebels would blow that and other works up so soon and leave us sole possession.

I am uneasy now for fear the enemy may turn all their force this way, and throw forty thousand men into the peninsula. They would retake Fort Fisher, even with the gunboats we have here, and turn the guns of the fort on us. The object is a great one, and if I was general of their forces, I would do it at all hazards. Yet this is not a pet place with the lieutenant-general, and he leaves it with about seven thousand men, and I don't think knows much of the situation. An army man thinks if he has a gunboat at his back he is all safe; but this is one case where, at times, the gunboats are driven off by bad weather, and those inside cannot co-operate effectively. I have given you a long letter, but find an apology for myself in the fact that I know your whole heart is with the navy, and that everything concerning it interests you. Again permit me to thank you kindly for the confidence you have always placed in me and the opportunities you have given me for distinction; and, assuring you that it has been my warmest wish to merit only your approbation, I remain, respectfully and sincerely,

Your obedient servant,

DAVID D. PORTER.

PORTER'S REPORT OF JANUARY 9, 1865.[1]

. . . I thought a good deal would be done by the explosion, but still I laid in a double allowance of shell and shot, and did not depend on a doubtful experiment. Starting as that expedition did, was not the way to make war. . . .

[**No. 145.** *See page* 827.]

CITY POINT, VA., NOV. 15, 1864.

MAJ.-GEN. B. F. BUTLER, COMMANDING ARMY OF THE JAMES:

As I am about leaving City Point to be absent for five or six days, I have just sent instructions to General Meade, of which the enclosed is a copy. These instructions contain all that is necessary for you, if the contingency upon which they are based should arise. All that I would add is that in case it should be necessary for you to withdraw from north of the James, you abandon all of your present lines except at Deep Bottom and Dutch Gap. Just occupy what you did prior to the movement which secured our present position. Preparatory to this, remove at once within the line to be held all heavy guns that cannot be drawn off readily. Open the rear of all enclosed works so that when we want to retake them they will not be directed against us. General Barnard, chief engineer in the field, by my direction, informed the chief engineer, Army of the James, of the work to be done in this respect.

U. S. GRANT,
*Lieutenant-General.*

CITY POINT, VA., NOV. 15, 1864.

MAJ.-GEN. G. G. MEADE, COMMANDING ARMY OF THE POTOMAC:

The movements now being made by the army under General Sherman may cause General Lee to detach largely from the force defending Richmond, to meet him. Should this occur, it will become our duty to follow. In such case the Army of the James will be promptly withdrawn from the mouth of the James River and put in the trenches about Petersburg, thus liberating all of your infantry and cavalry and a sufficient amount of artillery. To prepare for such emergency, therefore, I would direct that you hold yourself in readiness to start in the shortest time, with twelve days' rations, six being carried on the person, and forty rounds of ammunition in the wagons. Select from your command the best batteries to accompany you, not exceeding one gun to one thousand men. It is not intended that these preparations shall be made to start at a moment's notice, but that the articles shall be where they can be reached and loaded and all preparations made for starting by the time your troops can be relieved by the troops of General Butler, after such movement on the part of the enemy is discovered. A copy of this will be forwarded to General Butler with instructions to carry out his part promptly, moving night as well as day, if the contingency should arise.

U. S. GRANT,
*Lieutenant-General.*[2]

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[1] Report of Secretary of Navy, p. 59.
[2] Personal Memoirs of U. S. Grant, Vol. II., p. 150.

[**No. 146.** *See page* 853.]

[*Private.*]

FORTRESS MONROE, Jan. 13, 1865.

*My Dear Rawlins:* — You know that I like to see a thing well done if done at all, and I must say my enemies about your headquarters are very *bungling* in their malice, and will bring the General into remark. Take the article in the *Herald* by Cadwallader, and it will appear to have been dictated at headquarters, where I know the General had nothing to do with it. It was not telegraphed, and to have reached Tuesday's *Herald* must have left in the mail boat at 10 A. M., when the order for my removal was not served on me till 12 M. of the same day, Sunday. Unless the orders of the General are disclosed before they are made public, how could the "News of General Butler's removal excite much comment, but as far as I can learn but little or no animadversion." It could not have been known beyond General Grant's personal staff, and whatever may have been the feelings of some of those gentlemen toward myself, I should not expect much if any animadversion with them. Again Cadwallader could never have written this sentence: "It has been General Butler's misfortune to appoint too many of (these) selfish and irresponsible persons to official positions of trust and responsibility. Their indiscretions have cost him dearly, etc." Now as I appointed Cadwallader myself as a lieutenant in the United States Volunteers, as I supposed and believed at the wish of General Grant, for the selfish reason on Cadwallader's part that he wished to escape the draft which would take him away from general headquarters as a reporter, and as he is wholly "irresponsible" and as not only I, but General Grant is "suffering from his indiscretion," although he had this piece of news in advance of anybody else, I do not believe he would wish to communicate it to the *Herald.* Now, wasn't the fellow who got up this despatch a bungler?

Again, to put the removal on the ground that I was the last of the "civilian generals" brings an issue between the regulars and volunteers, and I assure you that the person who penned that does not love the General, or else is as stupid as a quartermaster who would let the horses of a whole army starve for want of forage when there is plenty in the country if he had a little energy to get it. Because the regular army *do not* like the General. They did not before the war, and his great success since has not increased their love, and his day of trial is coming, and therefore they seek to throw off those of the volunteers who would be his friends. And it is of no consequence to him whether the injury proceeds from their enmity or incapacity. Now, my dear Rawlins, look after those stupid fellows a little or they will do mischief to their chief. They have already circulated a story that General Grant has always been opposed to me, and that I have been thrust upon him for political reasons, so, if possible, to get a personal issue between me and the General. It will be his fault if that issue comes, not mine. It will be my misfortune and the work of his subordinates. The navy waits at Beaufort again, and the army waits for them.

Yours truly,

BENJ. F. BUTLER,
*Major-General no longer.*

[**No. 147.** *See page* 909.]

Memorandum or basis of agreement, made this 18th day of April, A. D. 1865, near Durham's Station, in the State of North Carolina, by and between General Joseph E. Johnston, commanding the Confederate Army, and Major-General W. T. Sherman, commanding the Army of the United States in North Carolina, both present.

I. (See 6, Reagan's draft.) The contending armies now in the field to maintain the *status quo* until notice is given by the commanding general of any one to his opponent, and reasonable time, say forty-eight hours, allowed.

II. (See 1, Reagan.) The Confederate armies now in existence to be disbanded and conducted to their several State capitals, there to deposit their arms and public property in the State arsenal, and each officer and man to execute and file an agreement to cease from acts of war, and to abide the action of the State and Federal authorities. The number of arms and munitions of war to be reported to the chief of ordnance at Washington City, subject to the future action of the Congress of the United States, and in the meantime to be used solely to maintain peace and order within the borders of the States respectively.

III. (See 3, Reagan.) The recognition by the Executive of the United States of the several State governments, on their officers and legislatures taking the oaths prescribed by the Constitution of the United States, and where conflicting State governments have resulted from the war, the legitimacy of all shall be submitted to the Supreme Court of the United States.

IV. The re-establishment of all Federal courts in the several States, with powers as defined by the Constitution and laws of Congress.

V. (See 4, Reagan.) The people and inhabitants of all States to be guaranteed, so far as the Executive can, their political rights and franchises, as well as their rights of person and property, as defined by the Constitution of the United States and of the States respectively.

VI. (See 5, Reagan.) The executive authority of the Government of the United States not to disturb any of the people by reason of the late war, so long as they live in peace and quiet, abstain from acts of armed hostility, and obey the laws in existence at the place of their residence.

VII. In general terms the war to cease, a general amnesty, so far as the Executive of the United States can command, on condition of the disbandment of the Confederate armies, the distribution of the arms, and the resumption of peaceful pursuits by the officers and men hitherto composing said armies.

Not being fully empowered by our respective principals to fulfil these terms, we individually and officially pledge ourselves to promptly obtain the necessary authority, and to carry out the above programme.

W. T. Sherman,
*Major-General Commanding Army of the United States in North Carolina.*

J. E. Johnston,
*General Commanding Confederate States Army in North Carolina.*

[**No. 67.** *See page* 690 *and Appendix page* 41.]

[This addition to Appendix No. 67, page 41, 24th line (Lieutenant Davenport's letter) was unfortunately omitted to be inserted in the correct place.]

You then directed me to see General Smith personally, and to say to him that you peremptorily ordered him, *upon the receipt of your command sent by me*, to cause an immediate attack to be made upon the defences of Petersburg by all the forces then present; that General Hancock was there under an order from you, who was his (Hancock's) senior, which order was given by you to Hancock by express direction of Lieutenant-General Grant, and that he (Hancock) would co-operate with you most cheerfully.



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